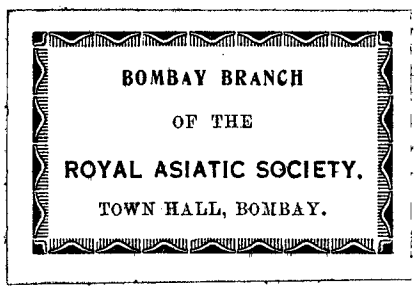
00108275



Digitized with financial assistance from the
Government of Maharashtra
on 18 July, 2018

00108275

LIST.

108275

PART I.

1. CORRESPONDENCE between the Government of Bombay and the Court of Directors:

PAGE.

Letter from the Government of Bombay to the Court of Directors; dated 26 Nov. 1851 - - - - - 1
Letter from - - ditto - - - ditto - - dated 1 Dec. (No. 90) 1851 - - - 2
Letter from - - ditto - - - ditto - - dated 3 Dec. (No. 91) 1851 - - - 2
Letter from - - ditto - - - ditto - - dated 3 Dec. (No. 92) 1851 - - - 4
Letter from - - ditto - - - ditto - - dated 31 Jan. (No. 9) 1852 - - - - 6
Letter from - - ditto - - - ditto - - dated 28 Feb. (No. 22) 1852 - - - 7
Extract Political Letter from the Government of Bombay to the Court of Directors; dated 3 March (No. 24) 1852 - - - - - - - - - - - - - - - - - - - 7
Letter from the Court of Directors to the Governor in Council at Bombay; dated 2 June (No. 17) 1852 - - 8

Letter from the Government of Bombay to the Court of Directors; dated 17 Jan. (No. 5) 1852 - - - 10
Letter from - - ditto - - - ditto - - dated 17 Jan. (No. 6) 1852 - - - - 11
Letter from - - ditto - - - ditto - - dated 3 Feb. (No. 15) 1852 - - - 11
Letter from - - ditto - - - ditto - - dated 17 Feb. (No. 19) 1852 - - - 12
Letter from - - ditto - - - ditto - - dated 4 March (No. 27) 1852 - - - 14
Letter from - - ditto - - - ditto - - dated 3 April (No. 37) 1852 - - - 14
Letter from the Court of Directors to the Government of Bombay; dated 23 June (No. 19) 1852 - - - 15

Letter from the Government of Bombay to the Court of Directors; dated 29 Nov. 1851 - - - - - 21
Letter from - - ditto - - - ditto - - dated 17 Jan. (No. 4) 1852 - - - - 22
Letter from - - ditto - - - ditto - - dated 3 Feb. (No. 12) 1852 - - - 22
Memorandum of Letters received from Lieutenant-colonel Outram, subsequent to his resuming charge of his duties as Resident at Baroda (on his return from Egypt), on the 8th May 1850, in which he has appealed against the decisions of Government in the cases therein alluded to; dated 3 Feb. 1852 - - - - 24

Minute by his Excellency the Commander-in-Chief; dated 1 Feb. 1852 - - - - - - - - - - 25

Letter from the Government of Bombay to the Court of Directors; dated 15 March (No. 33) 1852 - - - 25

Letter from the Court of Directors to the Governor in Council at Bombay; dated 26 June (No. 20) 1852 - - 26

Letter from the Government of Bombay to the Court of Directors; dated 3 May (No. 46) 1852 - - - 28
Ditto - - - - - - - - ditto - - dated 22 May (No. 55) 1852 - - - 28
Extracts of previous Despatches from the Court of Directors to the Bombay Government, respecting corrupt practices at Baroda - 29
Letter from the Court of Directors to the Governor in Council, Bombay; dated 10 Feb. (No. 2) 1841 - - 29

Extract Letter from the Court of Directors to the Government of Bombay; dated 1 June (No. 10) 1842 - - 30
Extract Letter - - ditto - - - - - ditto - - dated 6 July (No. 13) 1842 - - 30
Extract Letter - - ditto - - - - - ditto - - dated 25 Jan. (No. 3) 1843 - - 31
Extract Letter - - ditto - - - - - ditto - - dated 31 July (No. 20) 1844 - - 31
Letter from the Court of Directors to the Governor in Council, Bombay; dated 6 May (No. 12) 1844 - - 31

Extract Letter from the Court of Directors to the Government of Bombay; dated 28 Nov. (No. 35) 1849 - - 32
Extract Letter - - ditto - - - - - ditto - - dated 13 Feb. (No. 4) 1850 - - 32
Extract Letter - - ditto - - - - - ditto - - dated 15 Jan. (No. 3) 1851 - - 33

2. On the subject of a Correspondence between Lieutenant-colonel Outram, Resident at Baroda, and the late Mr. Andrews, of the Bombay Civil Service:

Letter from Lieutenant-colonel Outram, C.B., Resident at Baroda, to Arthur Malet, Esq., Chief Secretary to Government, Bombay; dated 16 Dec. 1850 - - - - - - - - - - - - - - 34
Lieutenant-colonel Outram's Report - - - - - - - - - - - - - - - 36

3. Appendices, No. 1 to No. 14, to Lieutenant-colonel Outram's Report:

No. 1. Extract from the Chopra "Avra," Monthly Account, of Purshotum Runchore, and Answers of Sowcars 86
No. 2 A. Letter from Moongajee Dinanathje to W. C. Andrews, Esq.; dated 8 August 1850 - - - - 88
No. 2 B. Letter from Ladcoba Atmaram to W. C. Andrews, Esq.; dated 12 Aug. 1850 - - - - - 88
No. 2 C. Letter from W. C. Andrews, Esq., to Mancoba Moroba, with the Reply - - - - - - 90
No. 2 D. Letter from Kessow Nursing - - - - - - - - - - - - - - 90
No. 3. Depositions of Goomashtas, &c., Nos. 1 to 12 - - - - - - - - - - - - 91
No. 4. Translated Item from the "Avra," or Monthly Cash Account of Purshotum Runchore, and Depositions of Soorujram and Sumbooram - - - - - - - - - - - - - - - 100
No. 5. Extract from Chopras sent to Mr. Andrews, in Lieutenant-colonel Outram's Letter; dated 15 Sept. 1850 - 101

PAGE.

No. 6 A. Translation of the Examination of Wamun Row Venktesh - - - - - - - - 104
No. 6 B. Translation of the Deposition of Tatiah Bah, of Oorpar - - - - - - - - - 107
No. 6 C. Translation of the Deposition of Kessow Row Vamun Row Nafra - - - - - - - 107
No. 7. Questions put by Mr. Andrews to three Native Officers, of the Collector's Establishment, at Surat; their Replies; Lieutenant-colonel Outram's remarks thereon - - - - - - - - - - 110
(A.) Translate of a Yad from his Highness the Guicowar to the Resident - - - - - - - 115
(B.) Translations of Questions put to, and Replies received from, Paruck Gopal Row Myral, and other Baroda Sowcars - - - - - - - - - - - - - - - 116
(C.) Translation of the Questions put to the Sowcars of Ahmedabad, and their Replies - - - - 117
No. 8 A. Translation of a Deposition of Vunmallee Doolub - - - - - - - - - - - 117
No. 8 B. Anonymous Letter to Lieutenant-colonel Outram - - - - - - - - - - - 118
No. 9 A. Translation of a Yad from his Highness the Guicowar to the Resident; dated 7 Oct. 1850 - - - 119
No. 9 B. Translation of a Yad from ditto - - - - - - ditto - dated 24 Oct. 1850 - - 120
No. 9 C. Translation of a Report from Nurbheyram Kissundass, Sheristadar, to W. C. Andrews, Esq.; dated 22 Oct. 1850 - - - - - - - - - - - - - - - - - 120
No. 9 D. Translation of a Yad from his Highness the Guicowar to the Resident; dated 31 Oct. 1850 - - 121
No. 9 E. Translation of a Yad from W. C. Andrews, Esq., to the Resident; dated 9 Nov. 1850 - - - 122
No. 9 F. Translation of a Yad to the Resident from his Highness the Guicowar; dated 20 Nov. 1850 - - 123
No. 10. Translation of a Report from Nurbheyram Kissundass, Sheristadar, to W. C. Andrews, Esq.; dated 9 Oct. 1850 - - - - - - - - - - - - - - - - - 124
No. 11. Translate of the Deposition of Itcharam Bunnarsee - - - - - - - - - - 129
Translate of the Deposition of Peetamberdass Sewlall - - - - - - - - - - 130
No. 12 A. Translation of the Report of Soorujram Gungaram, Native Agent of the Baroda Residency, to the Resident; dated 16 Oct. 1850 - - - - - - - - - - - - - 131
No. 12 B. Translation of the Deposition of Heerachund Hurrybhaee - - - - - - - - - 136
No. 12 C. Translation of the Deposition of Burzojee Nusserwanjee - - - - - - - - - 137
No. 13. Extracts from Hurree Bhugtee's Chopras, of Money presented on the occasions of Marriages, &c, to Womunrow Baba Nafra - - - - - - - - - - - - - - 138
No. 14. Translation of the Mahdoolal Gungadhur's Report to his Highness; dated 9 Oct. 1850 - - - 139

4. Papers marked "Copies," A. to L L., accompanying Lieutenant-colonel Outram's Report - - - - - - - - - - - - - - - - 141

5. Appendices (A.) to (V.), accompanying Lieutenant-colonel Outram's Report

APP.
(A.) Original Yad (not printed)
(B.) Questions to the Jury - - - - - - - - - - - - - - - - - - - 176
(C.) Original Yad (not printed)
(D.) Translation of a Memorandum that accompanied Colonel Outram's Letter of the 16th August 1850 - - 179
(E.) Accompaniment of Colonel Outram's Letter; dated 13 and 16 Oct. 1850 - - - - - - 179
(F.) Translated Extract from the "Avra" Book of Pooreek Pursotumdass Runchodedass, for Sumvut 1903 - 183
(G.) No. 1. Ledger Book of Purshtum Runchor's Firm, from Sumvut 1900 to Sumvut 1903 - - - - 184
(H.) Accompaniment to the Resident's Letter of 15 August 1850 - - - - - - - - - 185
(J.) Substance of the Depositions of some of the Persons engaged in, or present at, the Examination of Baba Nafdya's Dufters, on the day the Yadee in question was discovered - - - - - - - - 186
(K.) Accompaniment of Colonel Outram's Letter; dated 15 August 1850 - - - - - - - 192
(L.) Translated Substance of a Goozerattee Memorandum by Shumbhooram, which accompanied Colonel Outram's first Note; dated 31 July 1850 - - - - - - - - - - - - 192
(M.) Copy of the Ledger Book of Purshotum Runchor, for Sumvut 1903 - - - - - - - - 193
(N.) Ledger Book of Narunrow Runchor's Firm, for Sumvut 1903 - - - - - - - - - 194
(O.) Translation of a Memorandum that accompanied Colonel Outram's Letter of 16 August 1850 - - - 196
(P.) Copy of an Account Current kept in the Firm of Narunrao Runchor, for Sumvut 1903 - - - - 196
(Q.) Ledger, page 22, continued on page 74 - - - - - - - - - - - - - - 198
(R.) No. 1. Copy of the Ledger Book of Purshotum Runchor, per Sumvut 1903 - - - - - - - 198
No. 2. Copy of the Day Book for 1st Jest, 2d Sumvut 1903 - - - - - - - - - 199
(S.) Memorandum of Receipts made from 2d Jest to 5th Assa Sood - - - - - - - - - 291
(T.) Nos. 1 and 2. Translations of Memorandums that accompanied Colonel Outram's Letter; dated 19 August 1850 - 201
(U.) Translation of a Memorandum that accompanied Colonel Outram's Letter, dated 19 August 1850 - 202
(V.) Ditto - - - - - - - - - ditto - - - dated 19 August 1850 - - 202

6. Mr. Andrews' Remarks on Colonel Outram's Report:

Letter from W. C. Andrews, Esq., to A. Malet, Esq., Chief Secretary to Government, Bombay; dated 21 Jan. 1851 - 203
Letter from W. C. Andrews, Esq., to A. Malet, Esq.; dated 20 Jan. 1851 - - - - - - - - - 204
Minute by the Right honourable the Governor, dated 15 May 1851 - - - - - - - - - 227
Minute by the Honourable Mr. Blane, dated 16 May 1851 - - - - - - - - - - 227
Minute by the Honourable Mr. Bell, dated 24 May 1851 - - - - - - - - - - 227
Further Minute by the Right honourable the Governor, dated 19 Nov. 1851 - - - - - - - - 227
Further Minute by the Honourable Mr. Blane, dated 20 Nov. 1851 - - - - - - - - - 229
Further Minute by the Honourable Mr. Bell, dated 21 Nov. 1851 - - - - - - - - - 230
Further Minute by the Honourable Mr. Blane, dated 22 Nov. 1851 - - - - - - - - - 230
Further Minute by the Right honourable the Governor, dated 22 Nov. 1851 - - - - - - - - 230
Letter from the Chief Secretary to the Government of Bombay to Lieutenant-colonel Outram, C.B. - - - 230

7. On the Subject of an Application from Venayek Moreshwur Furkey, for Redress in certain Matters connected with the Baroda State:

PAGE.

No. 1. Petition from Venaek Moreshwur Fudkey, to A. Malet, Esq.; dated 24 June 1850 - - - - 234
No. 2. Minute by the Right honourable the Governor, concurred in by the Honourable Mr. Willoughby and the Honourable Mr. Blane; dated 14 Oct. 1850 - - - - - - - - - - - - - - - 234
No. 3. Letter from the Secretary to Government, Bombay, to Venayek Moreshwur Fudkey; dated 24 Oct. 1850 - 235
No. 4. Extract Paragraphs 8 to 10, from a Letter from the Honourable the Court of Directors; dated 15 Jan. (No. 3) of 1851 - - - - - - - - - - - - - - - - - - 235
No. 5. Letter from the Chief Secretary to Government, Bombay, to Captain P. T. French, late Officiating Resident at Baroda; dated 9 June 1851 - - - - - - - - - - - - - - - 235
No. 6. Letter from Chief Secretary to Government, Bombay, to Lieutenant-colonel Outram, Resident at Baroda; dated 9 June 1851 - - - - - - - - - - - - - - - - - - 236
No. 7. Letter from Captain P. T. French, late Officiating Resident at Baroda, to the Chief Secretary to Government, Bombay, dated 11 June 1851 - - - - - - - - - - - - - - - - 236
No. 8. Minute by the Right honourable the Governor, concurred in by the Honourable Mr. Blane; dated 26 June 1851 - - - - - - - - - - - - - - - - - - - 241
No. 9. Minute by the Honourable Mr. Bell, dated 27 June 1851 - - - - - - - - - - - - 241
No. 10. Letter from Chief Secretary to Government, Bombay, to Lieutenant-colonel Outram, C.B., Resident at Baroda; dated 28 June 1851 - - - - - - - - - - - - - - - 242

8. Rewa Kanta, Bhaderwa.—Relative to Charges of Bribery preferred against Venayek Moreshwur Phurké:

No. 1. Letter from Major Lewis Brown, Political Agent in the Rewa Kanta, to the Secretary to Government, Bombay; dated 11 Nov. 1850 - - - - - - - - - - - - - - - 244
Letter from Lieutenant-colonel Outram to Major Lewis Brown, dated 21 Oct. 1850 - - - - 244
Letter from Venaik Moreshwur Baba Furdkey, dated 18 Oct. 1850 - - - - - - - - 244
Letter from Major Lewis Brown to Lieutenant-colonel Outram, dated 27 August 1850 - - - - 245
Letter from Lieutenant-colonel Outram to Major Lewis Brown, dated 27 August 1850 - - - - 246
No. 2. Minute by the Right honourable the Governor, subscribed to by the Board; dated 25 Nov. 1850 - - 246
No. 3. Letter from the Chief Secretary to Government, Bombay, to Lieutenant Battye, Assistant in Charge, Rewa Kanta; dated 9 Dec. 1850 - - - - - - - - - - - - - - - - 247
No. 4. Memorial from Wenayck Moreshwer Fudkeh; dated 29 Nov. 1850 - - - - - - - - 247
Translation of a Petition from Venaek Moreshwer, Fudkey to Major Brown, Political Agent in Rewa Kanta; dated 7 Oct. 1850 - - - - - - - - - - - - - - - - 250
Letter from Venaik Moreshwer Baba Fudkey to Major Brown, Political Agent, Baroda; dated 26 Oct. 1850 - 253
No. 5. Minute by the Right honourable the Governor, concurred in by the Board; dated 20 Dec. 1850 - - 255
No. 6. Letter from the Chief Secretary to Government, Bombay, to Major L. Brown, Political Agent, Rewa Kanta; dated 9 Jan. 1851 - - - - - - - - - - - - - - - - 255
No. 7. Letter from the Chief Secretary to Government, Bombay, to Venayek Moreshwur Phurké; dated 9 Jan. 1851 - 255
No. 8. Substance of a Petition from Baee Shree Saheb Ba Patum, Ranee of the late Thakoor Jalum Singjee, of Sunstan Bhadurwa, to the Right honourable the Governor in Council; dated 4 Sept. 1850 - - - 255
No. 9. Minute by the Right honourable the Governor, concurred in by the Board; dated 7 Jan. 1851 - - 256
No. 10. Letter from the Chief Secretary to Government, Bombay, to Major L. Brown, Political Agent in the Rewa Canta; dated 15 Jan. 1851 - - - - - - - - - - - - - - - - 256
No. 11. Letter from Captain G. Fulljames, Political Agent in the Rewa Canta, to the Chief Secretary to Government, Bombay; dated 13 Nov. 1851 - - - - - - - - - - - - - 257
(No. 1.) Deposition of Sahibba, widow of the late Jalumsing - - - - - - - - - 261
(No. 2.) Extract from the private book of Saheba, widow of Jalumsing - - - - - - - 265
(No. 3.) Translation of a Note produced by Khooshall Vuyed - - - - - - - - - 265
(No. 4.) Translation of the Deposition of Khooshalbhoy Keerparam - - - - - - - - 265
(No. 5.) Translation of the Deposition of Bhawabhoy Goolabsung - - - - - - - - 273
(No. 6.) Translation of the Deposition of Duyaljee Munoredass - - - - - - - - 277
(No. 7.) Translation of a Note from Baee Shree Sahiba Raneejee to Dyaljee Munhordass - - - 280
(No. 8.) Translation of the Deposition of Surdarsing Purtapsing - - - - - - - - 280
(No. 9.) Translate of a Mortgage Bond passed by Maharunna Shree Surdarsingjee Partapsingjee to Rajaishree Luxmunray Venayek Furkey - - - - - - - - - - - - - - 281
(No. 10.) Translation of a Bond passed by Runna Surdarsing Purtapsing to Luxumonrow Venaik Furkey - 281
(No. 11.) Translation of a Communication from Venayek Moreshwur Furkey to Major L. Brown; dated 10 June 1851 - - - - - - - - - - - - - - - - - 282
(No. 12.) Translation of a Communication from the same to the same; dated 1 July 1851, with Appendices (A.), (B.), and (C.) - - - - - - - - - - - - - - - 292
(No. 13.) Translation of a Communication from the same to the same; dated 29 August 1851, with Appendices (A.) and (B.) - - - - - - - - - - - - - - - - 303
(No. 14.) Translation of a Letter from Veenayek Moreshwur Furkey to Captain G. Fulljames; dated 14 October 1851; with Appendices (A.) to (G.) - - - - - - - - - - 305
(No. 15.) Translation of the Deposition of Colcedass Lulloobhoy - - - - - - - - - 312

PAGE

No. 12. Minute by the Right honourable the Governor; dated 9 Dec. 1851 - - - - - - - - 313
No. 13. Minute by the Honourable Mr. Bell, concurred in by the Board; dated 11 Dec. 1851 - - - 313
No. 14. Letter from the Chief Secretary to Government, Bombay, to Major G. Fulljames; dated 5 Jan. 1852 - 314
No. 15. Letter from the Chief Secretary to Government, Bombay, to Lieut. M. J. Battye; dated 5 Jan. 1852 - 314
No. 16. Resolution of Government; dated 5 Jan. 1852 - - - - - - - - - - - 314

9. Baroda.—Lieutenant-colonel Outram's Report on the Case of Joetabhaee Setanee:

No. 1. Letter from Lieutenant-colonel Outram, C.B., to the Chief Secretary to Government, Bombay; dated 31 March 1851 - - - - - - - - - - - - - - - - 315
Lieutenant-Colonel Outram's Report on the case of Joetabhaee Setanee; dated 31 March 1851 - - 319
No. 2. Minute by the Honourable Mr. Willoughby; dated 28 April 1851 - - - - - - - - 392
No. 2 A. Notes by the Honourable Mr. Willoughby, on the Letter from Lieutenant-colonel Outram - - 393
No. 3. Minute by the Right honourable the Governor; dated 10 Nov. 1851 - - - - - - - - 399
No. 4. Minute by the Honourable Mr. Blane; dated 24 Nov. 1851 - - - - - - - - - 421
No. 5. Minute by the Honourable Mr. Bell; dated 26 Nov. 1851 - - - - - - - - - 422
No. 6. Further Minute by the Right honourable the Governor (no date), concurred in by the Board - - 422
No. 7. Letter from the Chief Secretary to Government, Bombay, to Lieutenant-colonel Outram, C.B., dated 1 Dec. 1851 - - - - - - - - - - - - - - - - - - 422

10. Appendices (A.) to (G.), to Lieutenant-colonel Outram's Report on the case Joetabhaee Setanee:

(A.) Correspondence with Joitabae Settane, &c., subsequent to 2 March 1848:

1. Translate of a Petition from Joitabaee Settanee to the Resident; dated 29 March 1848 - - - 445
2. Translation of an original Yad from Joitabaee, dated 8 April 1848, to the Resident - - - - 445
3. Translate of an Order, dated 13 May 1848, sent to Larbaee, wife of Bhanabhaee Kandass - - - 446
4. Translate of an Order, dated 22 May 1848, sent from the Residency to Larbaee - - - - - 447
5. Translate of Petition, dated 23 June 1848, from Larbaee to the Resident at Baroda - - - - 447
6. Translation of a Letter from the Resident to Larbaee; dated 24 June 1848 - - - - - 447
7. Translation of a Letter from the Resident to Larbaee; dated 19 July 1848 - - - - - 448
8. Translation of a Yad from the Resident to Settanee Joitabaee, at Baroda; dated 19 August 1848 - 448
9. Translation of a Yad from Joitabaee Settanee to the Resident; dated 22 August 1848 - - - 448
10. Translate of Copy of a Letter written 24 August 1848, by Colonel Outram, C.B., to Settanee Joitabaee - 451
11. Translation of a Yad from Joitabaee Settanee to the Resident; dated 4 Sept. 1848 - - - - 451
12. Translate of a Yad to Captain P. T. French, Acting Resident, from Joitabaee; dated 30 Dec. 1848 - 451
13. Translate of a Letter from the Resident to Joitabaee Settanee; dated 30 Dec. 1848 - - - - 452
14. Translate of a Yad to the Acting Resident, from Joitabaee Settanee; dated 3 Jan. 1849 - - - 452
15. Translate of a Letter from the Acting Resident to Joitabaee Settanee; dated 3 Jan. 1849 - - - 453
16. Translate of a Yad from Joitabaee Settanee to the Acting Resident; dated 17 Jan. 1849 - - - 453
17. Translate of Acting Resident's Reply; dated 17 January 1849 - - - - - - - - - 453
18. Translate of a Yad from Joitabaee Settanee to the Acting Resident; dated 6 March 1849 - - - 454
19. Translate of a Letter from the Resident to Joitabaee Settanee; dated 8 March 1849 - - - - 454
20. Translate of a Yad to the Acting Resident from Joitabaee Settanee; dated 13 March 1849 - - 455
21. Translate of a Letter from the Acting Resident, Captain French, to Joitabaee Settanee; dated 15 March 1849 - - - - - - - - - - - - - - - - - - - 455
22. Translation of a Goozerattee Yad from Settanee Joitabaee Combe Bachur Samul, to the Address of the Acting Resident at Baroda; dated 19 March 1849 - - - - - - - - - - 455
23. Translate of Yad to the Acting Resident from Joitabaee Settanee; dated 30 March 1849 - - - 455
24. Translate of a Letter from the Acting Resident to Joitabaee Settanee; dated 31 March 1849 - - 456
25. Translate of a Yad to the Acting Resident, from Joitabaee Settanee; dated 2 April 1849 - - - 456
26. Translate of a Yad from Joitabaee Settanee to the Acting Resident; dated 5 April 1849 - - - 457
27. Translation of a Guzeratee Yad from the Acting Resident to Settanee Joitabaee; dated 5 April 1849 - 458
28. Translate of a Yad from Joitabaee Settanee to the Acting Resident at Baroda; dated 10 April 1849 - 458
29. Translate of an Endorsement by the Acting Resident upon a Yad, dated 11 April 1849, sent in Reply to the Acting Resident's Yad, No 269, by Joitabaee Settanee - - - - - - - - 461
30. Translate of a Yad from Joitabaee Settanee to the Acting Resident; dated 20 April 1849 - - - 461
31. Translate of an Endorsement made upon the Petition of Joitabaee Settanee, dated 20 April 1849 by the Acting Resident; dated 21 April 1849 - - - - - - - - - - - 465
32. Translate of a Petition from Joitabaee Settanee to the Resident: dated 25 April 1849 - - - 466
33. Trnnslate of a Yad from Joitabaee Settanee to the Resident: dated 7 May 1849 - - - - - 467
34. Translate of a Yad from the Acting Resident to Joitabaee Settanee; dated 11 May 1849 - - - 469
35. Translate of a Letter from the Acting Resident to Joitabaee Settanee: dated 25 May 1849 - - 469
36. Translate of a Yad from Joitabaee Settanee to the Resident; dated 3 July 1849 - - - - 470
37. Translate of a Letter from the Acting Resident to Joitabaee Settanee; dated 31 July 1849 - - 470
38. Translate of a Letter from the Acting Resident to Joitabaee Settanee; dated 18 August 1849 - - 470
39. Translate of a Yad from the Acting Resident to Joitabaee; dated 12 Jan. 1850 - - - - 471
40. Translate of a Yad from Joitabaee Settanee; dated 25 Jan. 1850 - - - - - - - 471
41. Translate of a Yad from Joitabaee Settanee; dated 10 Feb. 1850 - - - - - - - 472

(B.) Correspondence with the Durbar, from 18 August 1848 to 14 September 1850:

1. Translation of a Yad from Lieutenant-colonel Outram to his Highness the Guicowar; dated 18 Aug. 1848 473
2. Translate of a Yad from his Highness the Guicowar to the Resident; dated 22 August 1848 - - 473
3. Translate of a Yad from the Resident to his Highness the Guicowar; dated 24 August 1848 - - 474

PAGE.

4. Translation of a Yad from his Highness the Guicowar to the Resident; dated 4 September 1848 - 474
5. Translate of a Yad from the Resident to his Highness the Guicowar; dated 4 Sept. 1848 - - - 475
6. Translation of a Yad (6 Sept. 1848) to his Highness the Guicowar from the Resident - - - 475
7. Translate of a Yad from his Highness the Gaekwar to the Resident; dated 16 Sept. 1848 - - - 476
8. Translate of a Yad from the Assistant Resident in Charge to his Highness the Gaekwar; dated 18 Sept. 1848 - 476
9. Translate of a Yad from his Highness the Gaekwar to the Resident; dated 3 Oct. 1848 - - - 476
10. Translate of a Yad from the Acting Resident to his Highness the Gaekwar; dated 22 Dec. 1848 - 479
11. Translate of a Yad from the Acting Resident to his Highness the Gaekwar; dated 20 March 1849 - 479
12. Translate of a Yad from the Gaekwar Sirkar to the Acting Resident; dated 31 March 1849 - - 479
13. Translate of a Yad from his Highness the Gaekwar to the Acting Resident; dated 26 April 1849 - 481
14. Translate of a Yad from the Acting Resident to his Highness the Gaekwar; dated 12 June 1849 - 482
15. Translate of a Yad from his Highness the Gaekwar to the Resident; dated 10 Jan. 1850 - - - 482
16. Translate of a Yad from the Resident to his Highness the Gaekwar; dated 2 July 1850 - - - 483
17. Translate of a Yad from his Highness the Gaekwar to the Resident; dated 3 July 1850 - - - 483
18. Translate of a Yad from the Residency to his Highness the Gaekwar; dated 3 July 1850 - - - 483
19. Translate of a Yad from the Resident to his Highness the Gaekwar; dated 6 July 1850 - - - 484
20. Translate of a Yad from his Highness the Gaekwar to the Resident; dated 10 July 1850 - - - 484
21. Translate of a Yad from the Resident; dated 12 July 1850 - - - - - - - - - - 484
22. Translate of a copy of a Yad, dated 16 August 1850, sent from the Resident to Durbar - - - 484
23. Translate of copy of a Yad, dated 16 August 1850, from the Residency to the Durbar - - - 485
24. Translate of a Yad from the Resident to his Highness the Gaekwar; dated 14 Sept. 1850 - - 485

(C.) Considerations respecting the Will or Testamentary Deed said to have been executed by Bechur Samuldass Sett - 485

(D.) Yads addressed by Joiteebaee Settanee to the Durbar, in January 1849 - - - - - - - - - 489
1. Translation of a Yad from Joiteebaee Settanee to his Highness the Guicowar; dated 2 January 1849 - 489
2. Translate of a Yad from the widow of the late Beechurbhoye Samuldass, Joiteebaee Settanee, to his Highness the Guikwar; dated 22 January 1849 - - - - - - - - - - - 490
3. Translate of a Yad from Joitabaee Settanee to his Highness the Guikwar; dated 23 January 1849 - 491

(E.) Correspondence with Government subsequent to 29 July 1850:
Petition from Settanee Mahaluximeebaee, the Daughter-in-Law to Hurry Bhugtee, to the Governor in Council - 492
Report of the Resident on the above Petition - 493
Letter from the Chief Secretary to the Government of Bombay, to the Resident at Baroda; dated 24 July 1850 - 494
Substance of a Memorandum from Maha Luxamee Settanee, widow, and her son, Pershotum Bhaee, to the Right honourable the Governor in Council; dated 4 June - - - - - - - - - - - 494
Letter from the Resident at Baroda to the Chief Secretary to Government, Bombay; dated 31 July 1850 495
Translate of a copy of a Yad from Pershotum Bhaee Bechurbhaee to his Highness the Guicowar; dated 17 July 1850 - 495
Letter from the Chief Secretary to Government of Bombay, to the Resident at Baroda; dated 17 August 1850 - 495
Letter from the Chief Secretary to Government of Bombay, to the Resident at Baroda; dated 17 August 1850 - 495
Letter from the Resident at Baroda to the Chief Secretary to Government, Bombay; dated 7 Sept. 1850 - 496
Translation of a Letter from Mahaluxmeebaee to the Resident at Baroda; dated 4 Sept. 1850 - - 496
Letter from the Resident at Baroda to the Chief Secretary to Government, Bombay; dated 10 Sept. 1850 496
Translation of the Deposition of Settanee Mahaluximeebaee, taken before the Durbar; dated 5 Sept. 1850 497
Translation of the Deposition of Wuggoobhee Wunchedass, taken before the Durbar; dated 5 Sept. 1850 497
Translation of the Deposition of Tatia Babajee, made before his Highness the Guicowar, on 5 Sept. 1850 - 497
Translation of the Deposition of Wamunow Venktesh Baba Nafra, made before his Highness the Guicowar, on 5 Sept. 1850 - 498

(F.) Depositions taken before the Resident - 498

(G.) Yad from his Highness the Gaekwar, dated 22 Oct. 1850, and accompanying proceedings of the Punchayet 538

---

11. Appendices (H.) to (N.) to Lieutenant-colonel Outram's Report on the Case of Joetabhaee Setanee:

(H.) Depositions recorded by the Punchayet - 554

(J.) Correspondence with the Durbar on the subject of Punchayet:
1. Translate of a Yad, dated 8 Nov. 1850, from the Resident to the Durbar - - - - - - - 638
2. Translate of a Yad to the Resident from his Highness the Gaekwar; dated 11 Nov. 1850 - - - 638
3. Translate of a Yad from the Resident to the Durbar; dated 13 Nov. 1850 - - - - - - - 638
4. Translate of a Yad from his Highness the Gaekwar; dated 6 Dec. 1850 - - - - - - - 639
5. Translate of a Yad from the Residency to the Durbar; dated 25 Nov. 1850 - - - - - - 639
6. Translate of a Yad from his Highness the Gaekwar to the Resident; dated 28 Nov. 1850 - - - 639
7. Translate of a Yad sent from the Residency to the Durbar; dated 25 Nov. 1850 - - - - 639
8. Translate of a Yad from his Highness the Gaekwar to the Resident; dated 28 Nov. 1850 - - - 639
9. Translate of a Yad from the Resident to his Highness the Gaekwar; dated 24 Dec. 1850 - - - 640
10. Translate of a Yad from his Highness the Gaekwar to the Resident; dated 24 Jan. 1851 - - - 640
11. Translate of a Yad from the Resident to his Highness the Gaekwar; dated 6 Jan. 1851 - - - 643
12. Translate of a Yad from his Highness the Gaekwar; dated 8 Jan. 1851 - - - - - - - 643

PAGE

13. Translate of a Yad to his Highness the Gaekwar from the Resident; dated 7 Jan. 1851 - - - 64
14. Translate of a Yad from his Highness the Gaekwar to the Resident; dated 8 Jan. 1851 - - - 64
15. Translate of a Yad from the Resident to his Highness the Gaekwar; dated 7 Jan. 1851 - - - 64
16. Translate of a Yad from his Highness the Gaekwar; dated 9 Jan. 1851 - - - - - - 64
17. Translate of a Yad from the Resident; dated 9 Jan. 1851 - - - - - - - - 64
18. Translate of a Yad from his Highness the Gaekwar to the Resident; dated 16 Jan. 1851 - - - 64
19. Translate of a Yad from the Resident to his Highness the Gaekwar; dated 11 Jan. 1851 - - - 64
20. Translate of a Yad to the Address of the Resident from his Highness the Gaekwar, dated 23 Jan. 1851 64
21. Translate of a Yad from the Resident to his Highness the Gaekwar; dated 13 Jan. 1851 - - - 64
22. Translate of a Yad from his Highness the Gaekwar to the Resident; dated 23 Jan. 1851 - - - 64
23. Translate of a Yad from the Resident to his Highness the Gaekwar; dated 18 Jan. 1851 - - - 65
24. Translate of a Yad from his Highness the Gaekwar to the Resident; dated 23 Jan. 1851 - - - 65
25. Translate of a Yad from the Resident to his Highness the Gaekwar; dated 26 Jan. 1851 - - - 65
26. Translate of a Yad from his Highness the Gaekwar to the Resident; dated 23 Jan. 1851 - - - 65
27. Translate of a Yad from the Resident to his Highness the Gaekwar; dated 22 Jan. 1851 - - - 65
28. Translate of a Memorandum from his Highness the Gaekwar to the Resident; dated 26 Jan. 1851 - 65
29. Translate of a Yad from the Resident to his Highness the Gaekwar; dated 25 Jan. 1851 - - - 65
30. Translation of a Yad from his Highness the Gaekwar to the Resident; dated 30 Jan. 1851 - - 65
31. Translate of a Yad from the Resident to the Durbar; dated 25 Jan. 1851 - - - - - 65
32. Translate of a Memorandum from his Highness the Gaekwar to the Resident; dated 30 Jan. 1851 - 65
33. Translate of a Yad from the Resident to his Highness the Gaekwar; dated 28 Jan. 1851 - - - 65
34. Translate of a Yad from his Highness the Gaekwar to the Resident; dated 4 Feb. 1851 - - - 65
35. Translate of a Yad from the Resident to his Highness the Gaekwar; dated 1 Feb. 1851 - - - 65
36. Translate of a Yad from his Highness the Gaekwar to the Resident; dated 6 Feb. 1851 - - - 65
37. Translate of a Yad from the Resident to his Highness the Gaekwar; dated 8 Feb. 1851 - - - 66
38. Translate of a Yad from his Highness the Gaekwar to the Resident; dated 12 Feb. 1851 - - - 66
39. Translate of a Yad from the Resident to his Highness the Gaekwar; dated 10 Feb. 1851 - - - 66
40. Translate of a Yad from his Highness the Gaekwar to the Resident; dated 14 Feb. 1851 - - - 66
41. Translate of a Yad from the Resident to his Highness the Gaekwar; dated 15 Feb. 1851 - - - 66
42. Translate of a Yad from his Highness the Gaekwar to the Resident; dated 23 Feb. 1851 - - - 66
43. Translate of a Yad from the Resident to his Highness the Gaekwar; dated 22 Feb. 1851 - - - 67
44. Translate of a Yad from his Highness the Gaekwar to the Resident; dated 25 Feb. 1851 - - - 67
45. Translate of a Yad from the Resident to his Highness the Gaekwar; dated 1 March 1851 - - 67
46. Translate of a Yad from his Highness the Gaekwar to the Resident; dated 4 March 1851 - - - 67
47. Translate of a Yad from his Highness the Gaekwar to the Resident; dated 24 March 1851 - - 67
48. Translate of a Yad from the Maharaj to the Resident; dated 25 March 1851 - - - - - - 67

(K.) Judicial Commissioners' Report, with Enclosure:

Letter from Gregor Grant, Esq., C.S., to Colonel Outram, C.B., Resident, Baroda; dated 22 Feb. 1851 - 67
Translate of a Report submitted by Nourrith Rye Ghunvuchram Sheristadar, to G. Grant, Esq. - - 67
Translate of a Memorandum drawn up in the case of Joutabace the younger Settanee's infant son - - 68

(L.) Medical Committee's Report:

Proceedings of a Medical Committee appointed to assemble at the Residency, Baroda, to investigate a subject to be submitted by the Resident - - - - - - - - - - - - - 69
The Report - - - - - - - - - - - - - - - - - 69

Appendix to the Report:

I. (A.) Examination of Moturam Vyd - - - - - - - - - - - - - 69
I. (B.) Second Examination of Moturam Vyed - - - - - - - - - - - - 70
I. (C.) Third Examination of Moteeran Vyeed - - - - - - - - - - - - 70
II. (A.) Examination of Woman Punnee - - - - - - - - - - - - - 70
II. (B.) Second Examination of Woman Punnee - - - - - - - - - - - - 70
III. Examination of Woman Mankover - - - - - - - - - - - - - 70
IV. Examination of Woman Muncha - - - - - - - - - - - - - - 70
V. Examination of Ladbaee - - - - - - - - - - - - - - - 70
VI. Examination of Joiteebace Settanee - - - - - - - - - - - - - 70
VII. Certificate of Dr. Davey - - - - - - - - - - - - - - - 71

(M.) Analysis of the principal Evidence adduced by Baba Nafra in support of his charge against Joitabaee - 71

(N.) Evidence regarding Joitabaee's pretended Confession - - - - - - - - - - - - 72

12. Reference to Captain P. T. French, late Officiating Resident at Baroda, on the Case of Joetabhaee Setanee:

No. 1. Minute by the Right Honourable the Governor, concurred in by the Board; dated 10 Nov. 1851 - - 72
No. 2. Letter from the Chief Secretary to Government to Captain P. T. French, late Officiating Resident at Baroda; dated 15 Nov. 1851 - - - - - - - - - - - - - - - 72
No. 3. Letter from Captain P. T. French, late Officiating Resident at Baroda, to the Chief Secretary to Government, Bombay; dated 20 Nov. 1851 - - - - - - - - - - - - - - 75
No. 4. Minute by the Right honourable the Governor; dated 23 Nov. 1851 - - - - - - - - - 76
No. 5. Minute by the Honourable Mr. Blane; dated 23 Nov. 1851 - - - - - - - - - - 76
No. 6. Minute by the Honourable Mr. Bell; dated 24 Nov. 1851 - - - - - - - - - - 76
No. 7. Further Minute by the Right Honourable the Governor, concurred in by the Honourable Mr. Blane; dated 24 Nov. 1851 - - - - - - - - - - - - - - - - 76
No. 8. Letter from the Chief Secretary to the Government of Bombay to Captain P. T. French, late Officiating Resident at Baroda; dated 26 Nov. 1851 - - - - - - - - - - - - - 76

Part II.

13. Case of Joetabhaee Setanee, Widow of the late Bechur Samuldass, of Baroda:

PAGE.

No. 1. Extract from a Letter from the Honourable the Court of Directors; dated 13 Feb. 1850 - - - 770
No. 2. Letter from the Secretary to Government to Lieutenant-colonel Outram, C.B., Resident at Baroda; dated 28 May 1850 - 770
No. 3. Letter from Lieutenant-colonel Outram, C.B., to the Chief Secretary to Government; dated 6 June 1850 771
No. 4. Minute by the Right honourable the Governor, concurred in by the Honourable Messrs. Willoughby and Blane; dated 18 June 1850 - - - - - - - - - - - - - - - - 774
No. 5. Letter from the Chief Secretary to the Government of Bombay to Lieutenant-colonel Outram, C.B., Resident at Baroda; dated 24 June 1850 - - - - - - - - - - - - - - 774
No. 6. Letter from the Chief Secretary to the Government of Bombay to Jotecabee Setanee; dated 24 June 1850 774
No. 7. Letter from Lieutenant-colonel Outram, C.B., Resident at Baroda, to the Chief Secretary to Government, Bombay; dated 24 June 1850 - - - - - - - - - - - - - - - - - 774
No. 8. Minute by the Right honourable the Governor, concurred in by the Honourable Mr. Blane, dated 12 July 1850 - 776
No. 9. Minute by the Honourable Mr. Willoughby; dated 16 July 1850 - - - - - - - - - 776
No. 10. Letter from the Chief Secretary to the Government of Bombay to Lieutenant-colonel Outram, C.B., Resident at Baroda: dated 19 July 1850 - - - - - - - - - - - - - - 776
No. 11. Letter from the Vakeel of Mahaluxmeebaee to the Chief Secretary to Government, Bombay; dated 10 July 1850 - 777
No. 12. Minute by the Right honourable the Governor, concurred in by the Board; dated 19 July 1850 - - 778
No. 13. Letter from the Chief Secretary to the Government of Bombay to Lieutenant-colonel Outram, C.B., Resident at Baroda; dated 24 July 1850 - - - - - - - - - - - - - - 778
No. 14. Letter from Lieutenant-colonel Outram, C.B, Resident at Baroda, to the Chief Secretary to Government, Bombay; dated 11 July 1850 - - - - - - - - - - - - - - - - 779
No. 15. Minute by the Governor, concurred in by the Board; dated 19 July 1850 - - - - - - - 779
No. 16. Letter from the Chief Secretary to the Government of Bombay to Lieutenant-colonel Outram, C.B, Resident at Baroda; dated 29 July 1850 - - - - - - - - - - - - - - 779
No. 17. Resolution of Government in the Political Department; dated 29 July 1850 - - - - - - 780
No. 18. Petition from Joetabaee Setanee; dated 31 July 1850 - - - - - - - - - - - 780
No. 19. Minute by the Hon. Mr. Willoughby, concurred in by the Hon. Mr. Blane; dated 31 July 1850 - 781
No. 20. Letter from the Chief Secretary to Government, Bombay, to Joetabaee Settanee; dated 1 Aug. 1850 - 781
No. 21. Petition from Motee Hurruckchund Uttersoombhakur to the Governor in Council, Bombay; dated 15 July 1850 - 781
No. 22. Minute by the Hon. Mr. Willoughby, concurred in by the Hon. Mr. Blane; dated 30 July 1850 - - 782
No. 23. Letter from the Chief Secretary to Government, Bombay, to Lieutenant-colonel Outram, C.B., Resident at Baroda; dated 2 August 1850 - - - - - - - - - - - - - - - 782
No. 24. Letter from Lieutenant-colonel Outram, C.B., Resident at Baroda, to the Chief Secretary to Government, Bombay; dated 31 July 1850 - - - - - - - - - - - - - - - 783
No. 25. Minute by the Hon. Mr. Willoughby, concurred in by the Hon. Mr. Blane; dated 12 Aug. 1850 - 784
No. 26. Letter from the Chief Secretary to Government, Bombay, to Lieutenant-colonel Outram, C.B., Resident at Baroda; dated 17 August 1850 - - - - - - - - - - - - - - - - - - 784
No. 27. Petition from Shaitanee Mahaluxum Baee to the Right honourable the Governor in Council; dated 13 July 1850 - 784
No. 28. Report on the above Petition by the Resident at Baroda; dated 29 July 1850 - - - - - 785
No. 29. Minute by the Hon. Mr. Willoughby, concurred in by the Hon. Mr. Blane; dated 14 Aug. 1850 - 785
No. 30. Letter from the Chief Secretary to Government, Bombay, to Lieutenant-colonel Outram, C.B., Resident at Baroda; dated 17 August 1850 - - - - - - - - - - - - - - - - - - 786
No. 31. Letter from the Chief Secretary to Government, Bombay, to Shetanee Mahaluxmee Baee; dated 17 Aug. 1850 - 786
No. 32. Letter from Lieutenant-colonel Outram, C.B., Resident at Baroda, to the Chief Secretary to Government, Bombay: dated 10 July 1850 - - - - - - - - - - - - - - - - 786
No. 33. Minute by the Right honourable the Governor, concurred in by the Hon. Mr. Willoughby; dated 23 July 1850 - 791
No. 34. Minute by the Hon. Mr. Blane; dated 27 July 1850 - - - - - - - - - - - - 791
No. 35. Letter from the Chief Secretary to Government to Lieutenant-colonel Outram, C.B., Resident at Baroda; dated 26 August 1850 - 792
No. 36. Letter from Lieutenant-colonel Outram, C.B., Resident at Baroda, to the Chief Secretary to Government of Bombay; dated 11 August 1850 - - - - - - - - - - - - - - - - 792
No. 37. Minute by the Right honourable the Governor, concurred in by the Hon. Messrs. Willoughby and Blane; dated 21 August 1850 - 793
No. 38. Letter from the Chief Secretary to Government, Bombay, to Lieutenant-colonel Outram, C.B., Resident at Baroda; dated 27 August 1850 - - - - - - - - - - - - - - - - - - - 793
No. 39. From the Chief Secretary to Government, Bombay, to Hurgovind Hurukchund, Baroda; dated 27 August 1850 - 793
No. 40. Letter from Lieutenant-colonel Outram, C.B., Resident at Baroda, to the Chief Secretary to Government, Bombay; dated 7 Sept. 1850 - - - - - - - - - - - - - - - - - - 793
No. 41. Minute by the Hon. Mr. Willoughby, concurred in by the Hon. Mr. Blane; dated 18 Sept. 1850 - 794
No. 42. Letter from the Chief Secretary to Government, Bombay, to Lieutenant-colonel Outram, C.B., Resident at Baroda; dated 24 Sept. 1850 - - - - - - - - - - - - - - - - - - 795
No. 43. Letter from Lieutenant-colonel Outram, C.B., Resident at Baroda, to the Chief Secretary to Government, Bombay; dated 10 Sept. 1850 - 795

PAGE.

No. 44. Minute by the Right honourable the Governor, concurred in by the Hon. Messrs. Willoughby and Blane; dated 14 Oct. 1850 - 797
No. 45. Letter from Lieutenant-colonel Outram, C.B., Resident at Baroda, to the Chief Secretary to Government, Bombay; dated 23 Dec. 1850 - - - - - - - - - - - - - - - - - 797
No. 46. Minute by the Right honourable the Governor, concurred in by the Commander-in-Chief; dated 7 Jan. 1851 - 800
No. 47. Minute by the Hon. Mr. Willoughby; dated 10 Jan. 1851 - - - - - - - - - - 800
No. 48. Minute by the Hon. Mr. Blane; dated 10 Jan. 1851 - - - - - - - - - - - - - 801
No. 49. Further Minute by the Right honourable the Governor, concurred in by the Board; without Date - 801
No. 50. Letter from the Chief Secretary to Government of Bombay, to Lieutenant-colonel Outram, C.B, Resident at Baroda; dated 21 Jan. 1851 - 801
No. 51. Letter from Lieutenant-colonel Outram, C.B., Resident at Baroda, to the Chief Secretary to Government, Bombay; dated 27 Feb. 1851 - 801
No. 52. Minute by the Right honourable the Governor, concurred in by the Board; dated 11 March 1851 - - 803
No. 53. Letter from the Secretary to the Government of Bombay to Lieutenant-colonel Outram, C.B., Resident at Baroda; dated 19 March 1851 - - - - - - - - - - - - - - - - - - - 803

14. Complaint by the Nephew of Baba Nafra, late Moonim of the Firm of Hurree Bhugtee, of Ill Treatment of his Uncle by his Highness the Gaekwar:

No. 1. Petition from Ramchunder Vishnoo, Nephew of Baba Nafra, to the Governor in Council; dated 21 Dec. 1850 - 805
No. 2. Letter from the Chief Secretary to the Government of Bombay to Lieutenant-colonel Outram, C.B., Resident at Baroda; dated 3 Jan. 1851 - 806
No. 3. Further Petition from Ramchunder Vishnoo to the Governor in Council, dated 7 Jan. 1851 - - - 806
No. 4. Minute by the Right honourable the Governor, concurred in by the Board; dated 8 Jan. 1851 - - 807
No. 5. Letter from the Chief Secretary to the Government of Bombay to Lieutenant-colonel Outram, C.B., Resident at Baroda; dated 8 Jan. 1851 - 807
No. 6. Letter from Lieutenant-colonel Outram, C.B., Resident at Baroda, to the Chief Secretary to Government, Bombay; dated 17 Jan. 1851 - 808
No. 7. Minute by the Right honourable the Governor, concurred in by the Board; dated 28 Jan. 1851 - - 813
No. 8. Letter from the Chief Secretary to the Government of Bombay to Lieutenant-colonel Outram, C.B., Resident at Baroda; dated 1 Feb. 1851 - 813
No. 9. Letter from Lieutenant-colonel Outram, C.B., Resident at Baroda, to the Chief Secretary to Government, Bombay; dated 5 Feb. 1851 - 813
No. 10. Further Petition from Ramchunder Vishnoo to the Right honourable the Governor in Council, Bombay; dated 2 July 1851 - 816
No. 11. Minute by the Honourable Mr. Blane, dated 5 July 1851 - - - - - - - - - - 816
No. 12. Minute by the Honourable Mr. Bell, dated 7 July 1851 - - - - - - - - - - 816
No. 13. Letter from the Chief Secretary to the Government of Bombay to Lieutenant-colonel Outram, C.B., Resident at Baroda; dated 12 July 1851 - 817
No. 14. Letter from the Chief Secretary to the Government of Bombay to Ramchunder Vishnoo, Bombay; dated 12 July 1851 - 817
No. 15. Further Petition from Ramchunder Vishnoo to the Governor in Council, dated 16 April 1851 - - 817
No. 16. Minute by the Right honourable the Governor, concurred in by the Board; dated 1 May 1851 - - 819

15. Case of Joetabhaee Setanee:

No. 1. Minute by the Right honourable the Governor, concurred in by the Board; dated 16 July 1851 - - 820
No. 2. Letter from the Chief Secretary to the Government of Bombay to Assistant Surgeon Davey; dated 18 July 1851 - 821
No. 3. Letter from Assistant Surgeon Davey to the Chief Secretary to Government, Bombay; dated 25 July 1851 - 821
No. 4. Further Minute by the Right honourable the Governor, concurred in by the Board; dated 9 Aug. 1851 - 822

16. Correspondence with Captain P. T. French, connected with Affairs at Baroda:

No. 1. Letter from Chief Secretary to the Government of Bombay to Captain P. T. French, late Officiating Resident at Baroda; dated 7 May 1851 - 823
No. 2. Letter from Captain P. T. French to the Chief Secretary to the Government of Bombay, dated 8 May 1851 - 824
No. 3. Minute by the Right honourable the Governor, concurred in by the Board; dated 8 May 1851 - - 824
No. 4. Letter from the Chief Secretary to the Government of Bombay to Captain P. T. French, Bombay; dated 10 May 1851 - 824
No. 5. Letter from Captain P. T. French to the Chief Secretary to the Government of Bombay, dated 11 May 1851 - 825
No. 6. Minute by the Right honourable the Governor, concurred in by the Board; dated 12 May 1851 - - 825
No. 7. Letter from the Chief Secretary to the Government of Bombay to Captain P. T. French, dated 14 May 1851 - 825

17. Baroda:

No. 1. Letter from Captain French, late Acting Resident at Baroda, to the Chief Secretary to the Government of Bombay; dated 19 August 1851 - 826
No. 2. Minute by the Right honourable the Governor, concurred in by the Board; dated 23 August 1851 - - 827

18. Joetabhaee Setanee:

PAGE.

No. 1. Letter from Lieutenant-colonel Outram, C.B., Resident at Baroda, to the Chief Secretary to the Government of Bombay; dated 5 April 1851 - 828
No. 2. Letter from the Secretary to the Government of Bombay to Lieutenant-colonel Outram, C.B., Resident at Baroda; dated 19 April 1851 - 829
No. 3. Letter from Lieutenant Battye, Assistant Resident in Charge, to the Secretary to Government; dated 23 April 1851 - 829
No. 4. Minute by the Right honourable the Governor, concurred in by the Board; dated 17 May 1851 - 829
No. 5. Letter from the Secretary to Government to Lieutenant-colonel Outram, C.B.; dated 21 April 1851 - 829
No. 6. Letter from L. Reid, Esq., First Assistant Magistrate in Charge, Surat, to the Chief Secretary to Government, Bombay; dated 9 April 1851 - 830
No. 7. Memorandum by the Secretary to Government, dated 21 April 1851 - 830
No. 8. Minute by the Honourable Mr. Willoughby, concurred in by the Honourable Mr. Blane; dated 22 April 1851 - 830
No. 9. Further Memorandum by the Secretary to Government, dated 23 April 1851 - 830

19. Joetabhaee Setanee:

No. 1. Letter from Lieutenant-colonel Outram, C.B., Resident at Baroda, to Chief Secretary to Government, Bombay; dated 11 November 1851 - 831

Appendix (A.) No. 1. Translation of a Yad from his Highness the Gaekwar to the Resident; dated 23 January 1851 - 834

Appendix (A.) No. 2. Translate of a Memorandum from Baba Nafra to his Highness the Gaekwar; dated 4 October 1850 - 837

Appendix (A.) No. 3. Translate of a Yad from the Firm of Hurree Bhugtee; dated 19 January 1851 - 849

Appendix (D.) No. 1. Extract from Examination of Mahaluxmeebaee; taken 9 January 1851 - 856
No. 2. Translate of the Deposition of Bappoojee Koobeir; taken 23 February 1851 - 856
No. 3. Translate of the Deposition of Dulputram Kessow; taken 23 February 1851 - 857
No. 4. Translate of the Deposition of Damodhur Dhoollub; taken 23 February 1851 - 857
No. 5. Translate of the Deposition of Bhyejee Ghella; taken 23 February 1851 - 858

Appendix (E.) No. 1. Translate of a Yad from his Highness the Gaekwar to the Resident; dated 4 October 1851 - 859

Appendix (E.) No. 2. Translate of a Yad from his Highness the Gaekwar to the Resident; dated 7 November 1851 - 861

Appendix (E.) No. 3. Translation of a Yad form his Highness the Gaekwar to the Resident; dated 10 November 1851 - 861

Appendix (G.) Translate of a Yad from Porthabhaee, Widow of the late Bechur Samuel, to the Resident; dated 7 April 1851 - 862

Appendix (H.) Translate of a Yad from ditto to ditto; dated 20 March 1851 - 862

No 2. Minutes by the Right honourable the Governor, concurred in by the Commander-in-Chief; dated 16 December 1851 - 863
No. 3. Minute by the Honourable Mr. Blane; dated 19 December 1851 - 863
No. 4. Minute by the Honourable Mr. Bell; dated 20 December 1851 - 863
No. 5. Further Minute by the Right honourable the Governor, concurred in by the Board; dated 23 December 1851 - 863
No. 6. Letter from the Chief Secretary to Government, Bombay, to Lieutenant M. J. Battye, Assistant Resident in charge, Baroda; dated 2 January 1852 - 864

20. Case of Joetabhaee Setanee:

No. 1. Minute by the Right honourable the Governor; dated 10 February 1852 - 866
No. 2. Minute by the Honourable Mr. Blane; dated 10 February 1852 - 866
No. 3. Minute by the Honourable Mr. Bell; dated 11 February 1852 - 866
No. 4. Further Minute by the Right honourable the Governor; (no date) - 867
No. 5. Further Minute by the Honourable Mr. Blane, concurred in by the Honourable Mr. Bell; dated 14 February 1852 - 867
No. 6. Letter from the Chief Secretary to Government, Bombay, to J. M. Davies, Esq., Resident at Baroda; dated 24 February 1852 - 867
No. 7. Letter from Lieutenant-colonel Outram, C.B., to the Chief Secretary to Government, Bombay; dated 12 January 1852 - 867
No. 8. Minute by the Right honourable the Governor; dated 13 February 1852 - 906
No. 9. Minute by the Honourable Mr. Blane; dated 14 February 1852 - 913
No. 10. Minute by the Honourable Mr. Bell; dated 16 February 1852 - 914
No. 11. Further Minute by the Right honourable the Governor, concurred in by the Board; dated 20 February 1852 - 914
No. 12. Letter from the Chief Secretary to Government, Bombay, to J. M. Davies, Esq., Resident at Baroda; dated 27 February 1852 - 914

PAGE.

No. 13. Letter from Lieutenant-colonel Outram, C.B., Resident at Baroda, to the Chief Secretary to Government, Bombay; dated 7 December 1851 - - - - - - - - - - - - - - - 914
No. 14. Minute by the Right honourable the Governor, concurred in by the Board; dated 14 January 1852 - 917
No. 15. Further Minute by the Right honourable the Governor, concurred in by the Board; dated 25 Februuary 1852 - 917
No. 16. Minute by the Right honourable the Governor; dated 13 February 1852 - - - - - - - 917
No. 17. Minute by the Honourable Mr. Blane; dated 14 February 1852 - - - - - - - - 917
No. 18. Minute by the Honourable Mr. Bell; dated 16 February 1852 - - - - - - - - - 918
No. 19. Further Minute by the Right honourable the Governor; dated 20 February 1852 - - - - 918
No. 20. Further Minute by the Honourable Mr. Blane; dated 21 February 1852 - - - - - - 918
No. 21. Further Minute by the Honourable Mr. Bell; dated 21 February 1852 - - - - - - - 919
No. 22. Letter from the Chief Secretary to Government, Bombay, to J. M. Davies, Esq., Resident at Baroda; dated 27 February 1852 - 919

21. Case of Joetabhae Setanee:

No. 1. Minute by the Right honourable the Governor, concurred in by the Board; dated 26 April 1852 - - 920

22. Muratha Note, connected with the interests of his Highness the Gaekwar:

No. 1. Letter from Lieutenant-colonel Outram, C.B., Resident, Baroda, to the Chief Secretary to Government, Bombay; dated 12 September 1851 - 923
Translation of a Yad from his Highness the Gaekwar to the Resident; dated 10 September 1851 - - 923
Translation of a Yad from his Highness the Gaekwar to the Resident; dated 11 September 1851 - - 923
No. 2. Minute by the Right honourable the Governor, concurred in by the Board; dated 20 September 1851 - 924
No. 3. Letter from the Chief Secretary to Government, Bombay, to Gregor Grant, Esq.; dated 22 September 1851 - 924
No. 4. Further Minute by the Right honourable the Governor, concurred in by the Board; dated 20 September 1851 - 925
No. 5. Letter from the Chief Secretary to Government, Bombay, to Lieutenant-colonel Outram, C.B., Resident at Baroda; dated 22 September 1851 - 925
No. 6. Letter from Gregor Grant, Esq. to the Chief Secretary to Government, Bombay (no date) - - - 925
No. 7. Minute by the Right honourable the Governor, concurred in by the Board; dated 26 Sept. 1851 - - 926
No. 8. Letter from Lieutenant-colonel Outram, C.B. to the Chief Secretary to Government, Bombay; dated 27 Sept. 1851 - 926
No. 9. Minute by the Right honourable the Governor; dated 12 Oct. 1851 - - - - - - - - 926
No. 10. Further Minute by the Right honourable the Governor; dated 13 Oct. 1851 - - - - - - 927
No. 11. Letter from the Chief Secretary to Government, to Gregor Grant, Esq.; dated 1 Nov. 1851 - - 928
No. 12. Minute by the Honourable Mr. Blane; dated 16 Oct. 1851 - - - - - - - - - - 928
No. 13. Minute by the Honourable Mr. Bell; dated 17 Oct. 1851 - - - - - - - - - - - 929
No. 14. Further Minute by the Right honourable the Governor; dated 26 Oct. 1851 - - - - - - 929
No. 15. Further Minute by the Honourable Mr. Blane; dated 28 Oct. 1851 - - - - - - - - 929
No. 16. Further Minute by the Right honourable the Governor; dated 30 Oct. 1851 - - - - - - 930
No. 17. Letter from G. Grant, Esq. to the Chief Secretary to Government, Bombay; dated 3 Nov. 1851 - - 930
No. 18. Minute by the Right honourable the Governor; dated 8 Nov. 1851 - - - - - - - - 931
No. 19. Minute by the Honourable Mr. Blane; dated 8 Nov. 1851 - - - - - - - - - - 931
No. 20. Minute by the Honourable Mr. Bell; dated 10 Nov. 1851 - - - - - - - - - - - 931
No. 21. Further Minute by the Right honourable the Governor, concurred in by the Board; dated 10 Nov. 1851 932
No. 22. Letter from the Chief Secretary to Government, Bombay, to Lieutenant-colonel Outram, C.B., Resident at Baroda; dated 15 Nov. 1851 - 932
No. 23. Letter from the Chief Secretary to Government, Bombay, to G. Grant, Esq.; dated 15 Nov. 1851 - 932
No. 24. Letter from Lieutenant-colonel Outram, C.B., Resident at Baroda, to the Chief Secretary to Government, Bombay; dated 22 Nov. 1851 - 933
No. 25. Minute by the Right honourable the Governor; dated 1 Dec. 1851 - - - - - - - - - 939

23. Nursoo Punt:

No. 1. Letter from the Political Commissioner, Guzerat, to the Secretary to Government; dated 4 Dec. 1843 - 944
No. 2. Minute by the Honourable the Governor, concurred in by the Board (without date) - - - - - 944
No. 3. Letter from the Secretary to Government, Bombay, to the Political Commissioner for Guzerat; dated 14 Dec. 1843 - 944
No. 4. Substance of a Petition from Shah Munguldass Ramdass, to the Honourable the Governor in Council; dated 15 March 1844 - 944
No. 5. Petition referred for report of the First Assistant to the Political Commissioner - - - - - - 945
No. 6. Report of the First Assistant to the Political Commissioner on the above Petition - - - - - 945
No. 7. Minute by the Honourable the Governor, concurred in by the Board; dated 24 May 1844 - - - 946
No. 8. Letter from the Secretary to Government to the First Assistant to the Political Commissioner for Guzerat; dated 30 May 1844 - 946
No. 9. Letter from the Resident at Baroda to the Chief Secretary to Government, Bombay; dated 15 October 1850 - 947
No. 10. Minute by the Right honourable the Governor; dated 23 October 1850 - - - - - - - - 948
No. 11. Minute by the Honourable Mr. Willoughby, concurred in by the Governor; dated 27 October 1850 - 948
No. 12. Minute by the Honourable Mr. Blane, concurred in by the Governor; dated 27 October 1850 - - 948
No. 13. Further Minute by the Right honourable the Governor; dated 30 October 1850 - - - - - 948

PAGE.

No. 14. Letter from the Chief Secretary to Government to Lieutenant-colonel Outram, Resident at Baroda; dated 1 November 1850 - - - - - - - - - - - - - - - - 948
No. 15. Letter from Lieutenant-colonel Outram, Resident at Baroda, to the Chief Secretary to Government, Bombay; dated 28 October 1850 - - - - - - - - - - - - - - - - 949
No. 16. Letter from the Secretary to Government, Bombay, to the Resident at Baroda; dated 18 November 1850 - 950
No. 17. Letter from the Resident at Baroda to the Chief Secretary to Government; dated 7 September 1850 - 950
No. 18. Minute by the Right honourable the Governor, concurred in by the Board; dated 11 October 1850 - 957
No. 19. Letter from the Secretary to Government to the Resident at Baroda; dated 5 November 1850 - - 958
No. 20. Petition from Nursoo Luximon, Native Agent at Baroda, to the Governor in Council, Bombay; dated 18 September 1848 - - - - - - - - - - - - - - - - - - 958
No. 21. Letter from the Resident at Baroda to the Chief Secretary to Government, Bombay; dated 11 January 1851 - 959
No. 22. Minute by the Right honourable the Governor, concurred in by the Commander-in-Chief and the Honourable Mr. Blane; dated 20 January 1851 - - - - - - - - - - - - 959
No. 23. Minute by the Honourable Mr. Willoughby; dated 22 January 1851 - - - - - - - - 959
No. 24. Letter from Chief Secretary to Government, Bombay, to the Resident at Baroda; dated 8 February 1851 960
No. 25. Letter from the Resident at Baroda to the Chief Secretary to Government, Bombay; dated 7 September 1850, with Appendixes - 960
No. 26. Minute by the Right honourable the Governor, concurred in by the Commander-in-Chief; dated 15 November 1850 - 984
No. 27. Minute by the Honourable Mr. Willoughby; dated 21 November 1850 - - - - - - - - 987
No. 28. Minute by the Honourable Mr. Blane; dated 25 November 1850 - - - - - - - - 987
No. 29. Further Minute by the Right honourable the Governor, concurred in by the Board; dated 24 December 1850 - 988
No. 30. Letter from the Chief Secretary to Government, Bombay, to the Resident at Baroda; dated 2 Jan. 1851 988
No. 31. Letter from Lieutenant-colonel Outram, Resident at Baroda; dated 10 April 1851 - - - - - 988
No. 32. Minute by the Honourable Mr. Willoughby, concurred in by the Honourable Mr. Blane; dated 18 April 1851 - 989
No. 33. Minute by the Right honourable the Governor, concurred in by the Honourable Messrs. Blane and Bell; dated 10 May 1851 - 989
No. 34. Letter from the Chief Secretary to Government of Bombay to the Resident at Baroda; dated 12 May 1851 - 989
No. 35. Letter from the Resident at Baroda to the Chief Secretary to Government; dated 13 May 1851 - - 989
No. 36. Minute by the Right honourable the Governor; dated 15 May 1851 - - - - - - - - 990
No. 37. Minute by the Honourable Mr. Blane; dated 15 May 1851 - - - - - - - - - 991
No. 38. Minute by the Honourable Mr. Bell; dated 15 May 1851 - - - - - - - - - - 991
No. 39. Further Minute by the Right honourable the Governor, concurred in by the Honourable Messrs. Blane and Bell; dated 15 May 1851 - 991
No. 40. Further Minute by the Right honourable the Governor, concurred in by the Honourable Messrs. Blane and Bell; dated 16 May 1851 - 991
No. 41. Letter from the Chief Secretary to Government of Bombay to W. E. Frere, Esq.; dated 16 May 1851 992
No. 42. Letter from the Chief Secretary to Government of Bombay to the Acting Collector, Ahmedabad; dated 16 May 1851 - 993
No. 43. Letter from the Chief Secretary to Government of Bombay to the Resident at Baroda; dated 16 May 1851 - 993
No. 44. Letter from the Chief Secretary to Government of Bombay to the Resident at Baroda; dated 16 May 1851 - 994
No. 45. Letter from the Resident at Baroda to the Chief Secretary to Government of Bombay; dated 17 May 1851 - 994
No. 46. Minute by the Right honourable the Governor, concurred in by the Honourable Messrs. Blane and Bell; dated 17 May 1851 - 994
No. 47. Letter from the Chief Secretary to Government of Bombay, to the Resident at Baroda; dated 17 May 1851 - 995
No. 48. Letter from the Resident at Baroda, to the Chief Secretary to Government of Bombay; dated 17 May 1851 - 995
No. 49. Minute by the Right honourable the Governor, concurred in by the Honourable Messrs. Blane and Bell; dated 17 May 1851 - 995
No. 50. Letter from the Chief Secretary to Government to the Resident at Baroda; dated 17 May 1851 - - 996
No. 51. Letter from W. E. Frere, Esq., to the Chief Secretary to Government of Bombay; dated 19 May 1851 996
No. 52. Minute by the Right honourable the Governor, concurred in by the Honourable Messrs. Blane and Bell; dated 21 May 1851 - 997
No. 53. Letter from the Secretary to Government of Bombay, to W. E. Frere, Esq.; dated 23 May 1851 - 997
No. 54. Minute by the Right honourable the Governor, concurred in by the Honourable Messrs. Blane and Bell; dated 21 May 1851 - 998
No. 55. Letter from the Secretary to Government of Bombay, to Lieutenant J. T. Jameson, 28th Native Infantry; dated 27 May 1851 - 998
No. 56. Letter from the Acting Collector, Ahmedabad, to the Chief Secretary to Government of Bombay; dated 22 May 1851 - 998
No. 57. Minute by the Honourable Mr. Blane, concurred in by the Honourable Mr. Bell; dated 30 May 1851 999
No. 58. Letter from the Secretary to Government of Bombay, to W. E. Frere, Esq.; dated 31 May 1851 - 999
No. 59. Resolution of Government; dated 11 June 1851 - 999
No. 60. Petition from Nursoo Luxoomun to the Governor in Council, Bombay; dated 1 June 1851 - - - - 999
No. 61. Minute by the Right honourable the Governor, concurred in by the Honourable Messrs. Blane and Bell; dated 14 June 1851 - 1001
No. 62. Letter from the Chief Secretary, Bombay, to W. E. Frere, Esq., Baroda; dated 16 June 1851 - - 1001
No. 63. Letter From W. E. Frere, Esq., to the Chief Secretary to Government, Bombay; dated 9 June 1851 - 1001
No. 64. Minute by the Right honourable the Governor, concurred in by the Honourable Messrs. Blane and Bell; dated 17 June 1851 - 1002
No. 65. Letter from the Chief Secretary to Government, Bombay, to W. E. Frere, Esq.; dated 27 June 1851 - 1002

PAGE.
No. 66. Letter From W. E. Frere, Esq., to the Chief Secretary to Government, Bombay; dated 9 June 1851 - 1002
No 67. Resolution of Government; dated 2 July 1851 - - - - - - - - - - - - - - 1002
No. 68. Memorandum, dated 2 July 1851 - - - - - - - - - - - - - - - - - 1003
No. 69. Audit on an Abstract of Pay due to the Establishment of Mr. W. E. Frere at Baroda, for June 1851 - 1003
No. 70. Minute by the Right honourable the Governor, concurred in by the Honourable Messrs. Blane and Bell; dated 15 July 1851 - - - - - - - - - - - - - - - - 1004
No. 71. Letter from the Resident at Baroda to the Chief Secretary to Government, Bombay; dated 27 June 1851 - - - - - - - - - - - - - - - - - - - 1004
No. 72. Minute by the Honourable Mr. Blane, concurred in by the Honourable Mr. Bell; dated 2 July 1851 - 1006
No. 73. Minute by the Right honourable the Governor; dated 18 July 1851 - - - - - - - - 1006
No. 74. Letter from the Chief Secretary to Government to the Resident at Baroda; dated 2 July 1851 - - 1006
No. 75. Resolution of Government; dated 2 July 1851 - - - - - - - - - - - - - - 1007
No. 76. Translation of a Letter from the Honourable Mr. D. A. Blane to his Highness the Gaekwar; dated 2 July 1851 - 1007
No. 77. Letter from the Chief Secretary to Government, Bombay, to the Resident at Baroda; dated 2 July 1851 - 1007
No. 78. Letter from the Resident at Baroda to the Chief Secretary to Government, Bombay; dated 22 July 1851 - 1008
No. 79. Letter from the Resident at Baroda to the Chief Secretary to Government, Bombay; dated 26 July 1851 - 1008
No. 80. Memorandum by the Chief Secretary; dated 1 August 1851 - - - - - - - - - - 1008
No. 81. Minute by the Honourable Mr. Blane, concurred in by the Honourable Mr. Bell; dated 2 August 1851 - 1009
No. 82. Letter from the Chief Secretary to Government, Bombay, to the Resident at Baroda; dated 4 August 1851 - 1009

24. Nursoo Punt:

No. 1. Letter from W. E. Frere, Esq., Commissioner, Baroda, to the Chief Secretary to Government, Bombay; dated 22 October 1851 - - - - - - - - - - - - - - - - - - - 1011
No. 2. Minute by the Right Honourable the Governor; dated 10 November 1851 - - - - - - - 1017
No. 3. Minute by the Honourable Mr. Blane, concurred in by the Honourable Mr. Bell; dated 12 Nov. 1851 - 1018
No. 4. Further Minute by the Right honourable the Governor; dated 6 December 1851 - - - - 1018
No. 5. Further Minute by the Honourable Mr. Blane; dated 8 December 1851 - - - - - - 1024
No. 6. Minute by the Honourable Mr. Bell; dated 12 December 1851 - - - - - - - - 1025
No. 7. Further Minute by the Right honourable the Governor; dated 16 December 1851 - - - - 1028
No. 8. Further Minute by the Honourable Mr. Blane; dated 16 December 1851 - - - - - - 1028
No. 9. Minute by the Right honourable the Governor, concurred in by the Honourable Mr. Blane; dated 18 December 1851 - 1028
No. 10. Minute by the Honourable Mr. Bell; dated 19 December 1851 - - - - - - - - 1028
No. 11. Minute by the Right honourable the Governor, concurred in by the Board; dated 19 December 1851 1029
No. 12. Letter from the Chief Secretary to Government, Bombay, to W. E. Frere, Esq., late Commissioner, Baroda; dated 20 December 1851 - - - - - - - - - - - - - - - 1029
No. 13. Letter from W. E. Frere, Esq., to the Chief Secretary to Government, Bombay; dated 27 December 1851 - 1029
No. 14. Minute by the Right honourable the Governor, concurred in by the Commander-in-Chief; dated 5 January 1852 - - - - - - - - - - - - - - - - - - - 1030
No. 15. Minute by the Honourable Mr. Blane; dated 6 January 1852 - - - - - - - - - 1030
No. 16. Minute by the Honourable Mr. Bell; dated 6 Jan. 1852 - - - - - - - - - - 1030
No. 17. Further Minute by the Right honourable the Governor; dated 13 Januury 1852 - - - - 1030
No. 18. Letter from the Chief Secretary to Government to the Resident at Baroda; dated 20 January 1852 - 1031
No. 19. Letter from the Chief Secretary to Government to W. E. Frere, Esq.; dated 20 January 1852 - - 1033
No. 20. Letter from the Chief Secretary to Government, to E. L. Jenkins, Esq., Acting Collector and Magistrate, Ahmedabad; dated 20 January 1852 - - - - - - - - - - - - - 1034
No. 21. Resolution of Government; dated 20 January 1852 - - - - - - - - - - - - - 1034
No. 22. Memorandum; dated 22 January 1852 - - - - - - - - - - - - - - - 1035
No. 23. Petiton from Nursoo Luxmun, ex-Dufterdar of Ahmedabad, to the Right honourable the Governor in Council, Bombay; dated 18 October 1851 - - - - - - - - - - - - - - 1035
No. 24. Letter from the Chief Secretary to Government, Bombay, to Nursoo Luxumon; dated 20 January 1852 - 1044
No. 25. Memorandum by the Chief Secretary; dated 22 January 1852 - - - - - - - - - 1044
No. 26. Minute by the Right honourable the Governor, subscribed to by the Board; dated 27 January 1852 - 1049
No. 27. Letter from Lieutenant-colonel Outram, C.B., to the Chief Secretary to Government, Bombay; dated 30 January 1852 - 1049
No. 28. Minute by the Right honourable the Governor, concurred in by the Board; dated 6 February 1852 - 1049
No. 29. Letter from the Chief Secretary to Government, Bombay, to Lieutenant-colonel Outram, C.B., dated 11 February 1852 - 1049

25. Nursoo Punt:

No. 1. Letter from Lieutenant-colonel Outram, Resident at Baroda, to the Chief Secretary to Government; dated 10 April 1851 - 1052
Statement of Facts relating to Nursoo Punt, late Native Agent of the Baroda Residency; dated 6 April 1851 - 1054
Appendix (A.) Report by Lieutenant-colonel Outram; dated 6 April 1851 - - - - - - - 1068

PAGE.

Appendix (A.) No. 1:
No. 1. Translate of the Statement of Domadhur Doolub, dated 1 August 1850 - - - - - 1073
No. 2. Statement of Bappoojee Khobeir, 1 August 1850 - - - - - - - - - 1073
No. 3. Statement of Kismutdar Hurreea, 1 August 1850 - - - - - - - - - 1073
No. 4. Statement of Pershotum Becher, 2 August 1850 - - - - - - - - - 1074

Appendix (A.) No. 2:
No. 1. Translate of the Deposition of Bappoo Koobairdass, taken 8 February 1851 - - - - 1075
No. 2. Translate of the Deposition of Damodhur Dhullub, taken 9 February 1851 - - - - 1076
No. 3. Translate of the Deposition of Purshotum Bechur, taken 9 February 1851 - - - - 1077
No. 4. Translate of the Deposition of Hurreebhee Bhychund, taken 9 February 1851 - - - - 1077
No. 5. Translate of the Deposition of Bullajee Frush Ram, taken 20 March 1851 - - - - 1079
No. 6. Translate of the Deposition of Ramchunder Junnardhun, Bappa Khurseekur, taken 21 March 1851 - - - - - - - - - - - - - - - - - - 1079

Appendix (B.) Translated Extract from the Proceedings of the Committee appointed to examine Hurree Bhucktee's Treasury - - - - - - - - - - - - - - - - - - 1080
No. 2. Memorandum by the Chief Secretary to Government, Bombay; dated 22 January 1852 - - - 1082
No. 3. Minute by the Right honourable the Governor, concurred in by the Board; dated 14 February 1852 - 1084

26. Nursoo Punt, and Four Karkoons of the Residency at Baroda:

No. 1. Letter from Lieutenant-colonel Outram, C.B., Resident at Baroda, to the Chief Secretary to Government, Bombay; dated 11 April 1851 - - - - - - - - - - - - - - - - - - 1085
No. 2. Minute by the Right honourable the Governor, concurred in by the Board; dated 28 April 1851 - - 1088
No. 3. Letter from the Chief Secretary to Government, Bombay, to Lieutenant-colonel Outram, C.B.; dated 29 April 1851 - - - - - - - - - - - - - - - - - - 1088
No. 4. Substance of a Petition from Moro Hury, Karkoon of the Baroda Residency, to the Right honourable the Governor in Council; dated 19 April 1851 - - - - - - - - - - 1088
No. 5. Minute by the Honourable Mr. Blane, concurred in by the Honourable Mr. Bell; dated 18 June 1851 - 1089
No. 6. Letter from the Chief Secretary to Government, Bombay, to Lieutenant-colonel Outram, C.B.; dated 27 June 1851 - - - - - - - - - - - - - - - - - - 1089
No. 7. Resolution of Government; dated 27 June 1851 - - - - - - - - - - - - - - - - 1090
No. 8. Minute by the Right honourable the Governor, concurred in by the Honourable Mr. Blane; dated 18 February 1852 - - - - - - - - - - - - - - - - - - 1090
No. 9. Letter from the Chief Secretary to Government, Bombay, to J. M. Davies, Esq., Resident at Baroda; dated 24 February 1852 - - - - - - - - - - - - - - - - - 1092

27. Information illicitly obtained at Baroda from the Bombay Secretariat, and other Sources:

No. 1. Letter from Lieutenant-colonel Outram, C.B., Resident at Baroda, to the Chief Secretary to Government, Bombay; dated 8 October 1851 - - - - - - - - - - - - - - - - 1095
No. 2. Memorandum by the Chief Secretary; dated 12 October 1851 - - - - - - - - - - - 1096
No. 3. Minute by the Honourable Mr. Blane, concurred in by the Honourable Mr. Bell; dated 12 October 1851 - 1096
No. 4. Further Memorandum by the Chief Secretary; dated 12 October 1851 - - - - - - - 1097
No. 5. Minute by the Honourable Mr. Blane, concurred in by the Honourable Mr. Bell; dated 12 October 1851 1097
No. 6. Minute by the Right honourable the Governor (without date) - - - - - - - - - 1097
No. 7. Letter from the Chief Secretary to Government, Bombay, to Lieutenant-colonel Outram, C.B.; dated 13 October 1851 - - - - - - - - - - - - - - - - - - 1098
No. 8. Letter from Lieutenant-colonel Outram, C.B., to the Chief Secretary to Government, Bombay; dated 13 October 1851 (with Enclosures) - - - - - - - - - - - - - - - - 1098
No. 9. Memorandum by the Chief Secretary; dated 21 October 1851 - - - - - - - - - 1015
No. 10. Minute by the Right honourable the Governor; dated 24 October 1851 - - - - - - - 1116
No. 11. Memorandum by the Chief Secretary; dated 29 October 1851 - - - - - - - - - 1117
No. 12. Extract from a Minute by Sir J. R. Carnac, Governor of Bombay; dated 13 February 1841 - - 1117
No. 13. Extract from a Minute by Sir J. R. Carnac, Governor of Bombay; dated 13 February 1841 - - 1118
No. 14. Minute by the Honourable Mr. Blane; dated 28 October 1851 - - - - - - - - - 1118
No. 15. Minute by the Honourable Mr. Bell; dated 29 October 1851 - - - - - - - - - - 1119
No. 16. Minute by the Right honourable the Governor; dated 31 October 1851 - - - - - - - 1119
No. 17. Further Minute by the Honourable Mr. Blane, concurred in by the Honourable Mr. Bell; dated 2 November 1851 - - - - - - - - - - - - - - - - - - - 1119
No. 18. Petition from Govind Vunktesh to A. Malet, Esq., Secretary to Government; dated 17 October 1851 - 1120
No. 19. Letter from Chief Secretary to Government, Bombay, to Lieutenant-colonel Outram, C.B.; dated 3 November 1851 - 1120
No. 20. Letter from H. E. Goldsmid, Esq., to Lieutenant-colonel Outram, C.B.; dated 24 October 1851 - - 1120
No. 21. Letter from Lieutenant-colonel Outram, C.B., to H. E. Goldsmid, Esq.; dated 31 October 1851 (with Enclosures) - 1121
No. 22. Memorandum by the Secretary in attendance on the Right honourable the Governor; dated 8 November 1851 - 1123
No. 23. Minute by the Right honourable the Governor, concurred in by the Honourable Messrs. Blane and Bell; dated 8 November 1851 - - - - - - - - - - - - - - - - - - 1124
No. 24. Further Minute by the Right honourable the Governor, concurred in by the Honourable Messrs. Blane and Bell; dated 10 November 1851 - - - - - - - - - - - - - - - - 1124
No. 25. Letter from the Chief Secretary to Government, Bombay, to Lieutenant-colonel Outram, C.B.; dated 17 November 1851 - 1124
No. 26. Letter from Lieutenant-colonel Outram, C.B., to the Chief Secretary to Government, Bombay; dated 8 November 1851 - 1125
No. 27. Minute by the Right honourable the Governor; dated 15 November 1851 - - - - - - 1126

PAGE.
No. 28. Minute by the Honourable Mr. Blane, concurred in by the Honourable Mr. Bell; dated 18 Nov. 1851 1126
No. 29. Letter from the Chief Secretary to Government, Bombay, to Lieutenant-colonel Outram, C.B.; dated 23 November 1851 - - - - - - - - - - - - - - - - 1126
No. 30. Letter from Lieutenant-colonel Outram, C.B., to the Chief Secretary to Government, Bombay; dated 23 November 1851 (with Enclosures) - - - - - - - - - - - - - - 1127
No. 31. Memorandum by the Chief Secretary; dated 1 December 1851 - - - - - - - - 1137
No. 32. Minute by the Right honourable the Governor; dated 8 December 1851 - - - - - - - 1137
No. 33. Minute by the Honourable Mr. Blane; dated 10 December 1851 - - - - - - - - 1138
No. 34. Minute by the Honourable Mr. Bell; dated 11 December 1851 - - - - - - - - 1138
No. 35. Letter from the Chief Secretary to Government, Bombay, to Lieutenant-colonel Outram, C.B.; dated 16 December 1851 - 1138
No. 36. Letter from Lieutenant-colonel Outram, C.B., to the Chief Secretary to Government, Bombay; dated 27 November 1851 (with Enclosures) - - - - - - - - - - - - - - - - 1139
No. 37. Memorandum by the Chief Secretary; dated 2 December 1851 - - - - - - - - - 1142
No. 38. Minute by the Right honourable the Governor, concurred in by the Board; dated 2 December 1851 - 1142
No. 39. Letter from the Chief Secretary to Government, Bombay, to Lieutenant-colonel Outram, C.B.; dated 10 December 1851 - 1142
No. 40. Letter from Lieutenant-colonel Outram, C.B., to the Chief Secretary to Government, Bombay; dated 13 December 1851 (with Enclosures) - - - - - - - - - - - - - - - - 1143
No. 41. Minute by the Right honourable the Governor, concurred in by the Board; dated 6 January 1852 - 1145
No. 42. Letter from the Chief Secretary to Government, Bombay, to the Resident at Baroda; dated 22 January 1852 - 1145
No. 43. Letter from Lieutenant-colonel Outram, C.B., to the Chief Secretary to Government, Bombay; dated 11 November 1851 (with Enclosure) - - - - - - - - - - - - - - - - 1145
No. 44. Minute by the Right honourable the Governor, concurred in by the Honourable Messrs. Blane and Bell; dated 9 December 1851 - 1147
No. 45. Memorandum by the Chief Secretary; dated 8 December 1851 - - - - - - - - 1148
No. 46. Letter from Lieutenant-colonel Outram, C.B., to the Chief Secretary to Government, Bombay; dated 2 December 1851 (with Enclosures) - - - - - - - - - - - - - - - - 1148
No. 47. Minute by the Right honourable the Governor; dated 15 January 1851 - - - - - - - 1159
No. 48. Minute by the Honourable Mr. Blane, concurred in by the Honourable Mr. Bell and the Right honourable the Governor; dated 16 January 1851 - - - - - - - - - - - - 1160
No. 49. Letter from Lieutenant-colonel Outram, C.B., to the Chief Secretary to Government; dated 21 November 1851 (with Enclosures) - - - - - - - - - - - - - - - - 1160
No. 50. Memorandum by the Chief Secretary; dated 29 November 1851 - - - - - - - - 1164
No. 51. Minute by the Right honourable the Governor; dated 7 December 1851 - - - - - - - 1165
No. 52. Minute by the Honourable Mr. Blane; dated 7 December 1851 - - - - - - - - 1166
No. 53. Minute by the Honourable Mr. Bell; dated 8 December 1851 - - - - - - - - - 1166
No. 54. Further Minute by the Right honourable the Governor, concurred in by the Board; dated 10 December 1851 - 1167
No. 55. Letter from Lieutenant-colonel Outram, C.B., to the Chief Secretary to Government, Bombay; dated 2 December 1851 (with Enclosures) - - - - - - - - - - - - - - - - 1167
No. 56. Minute by the Right Honourable the Governor; dated 15 January 1852 - - - - - - - 1179
No. 57. Minute by his Excellency the Commander-in-Chief, without Date - - - - - - - - 1180
No. 58. Minute by the Honourable Mr. Blane; dated 17 January 1852 - - - - - - - - 1180
No. 59. Minute by the Honourable Mr. Bell, concurred in by the Right Honourable the Governor; dated 17 January 1852 - 1180
No. 60. Letter from the Chief Secretary to Government, Bombay, to J. M. Davies, Esq., Resident at Baroda; dated 29 January 1852 - 1181
No. 61. Resolution of Government; dated 29 January 1852 - - - - - - - - - - - - 1181
No. 62. Letter from Lieutenant-colonel Outram, C.B., to the Chief Secretary to Government, Bombay; dated 15 December 1851 (with Enclosures) - - - - - - - - - - - - - - - - 1181
No. 63. Minute by the Right Honourable the Governor, concurred in by the Board; dated 15 January 1852 - 1189
No. 64. Letter from A. W. Ravenscroft, Esq., Postmaster-general, to J. G. Lumsden, Esq., Secretary to Government; dated 23 October 1851 (with Enclosures) - - - - - - - - - - - - 1189
No. 65. Minute by the Right honourable the Governor, concurred in by the Honourable Messrs. Blane and Bell; dated 25 November 1851 - 1192
No. 66. Resolution of Government; dated 5 December 1851 - - - - - - - - - - - - 1192
No. 67. Minute by the Right honourable the Governor, subscribed to by the Board; dated 20 January 1852 - 1192
No. 68. Letter from the Chief Secretary to Government, Bombay, to J. M. Davies, Esq., Resident at Baroda; dated 29 January 1852 - 1192

28. Case of Mr. Marston, a Junior Assistant in the Secretariat; Dismissal of:

No. 1. Deposition of Mr. Marston - 1194
No. 2. Deposition of Krishna Rao Luxmon - 1195
No. 3. Letter from Mr. Marston to the Chief Secretary to Government, Bombay; dated 6 November 1851 - 1196
No. 4. Further Deposition of Mr. Marston before the Chief Secretary - - - - - - - - - - 1197
No. 5. Memorandum by the Chief Secretary - 1198
No. 6. Minute by the Right honourable the Governor; dated 7 November 1851 - - - - - - - - 1201
No. 7. Minute by the Honourable Mr. Blane, dated 8 November 1851 - - - - - - - - - 1201
No. 8. Minute by the Honourable Mr. Bell; dated 8 November 1851 - - - - - - - - - 1201
No. 9. Further Minute by the Right honourable the Governor, concurred in by the Board, dated 9 November 1851 - 1201
No. 10. Letter from the Chief Secretary to Government, Bombay, to the General Paymaster, Bombay; dated 18 November 1851 - 1201
No. 11. Letter from the Chief Secretary to Government, Bombay, to the Commissioner in Scinde; dated 18 November 1851 - 1202
No. 12. Resolution of Government; dated 18 November 1851 - - - - - - - - - - - - 1204

PAGE.
No. 13. Letter from the Chief Secretary to Government, Bombay, to Mr. D. Marston; dated 18 November 1851 1204
No. 14. Resolution of Government; dated 18 November 1851 - - - - - - - - - - - 1204
No. 15. Letter from Mr. D. Marston to the Chief Secretary to Government, Bombay; dated 2 December 1851 1204
No. 16. Minute by the Right honourable the Governor, concurred in by the Honourable Messrs. Blane and Bell; dated 10 December 1851 - - - - - - - - - - - - - - - - 1205
No. 17. Letter from the Chief Secretary to Government, Bombay, to Mr. D. Marston; dated 19 December 1851 - 1205

29. Memorial from Mr. Marston to the Address of the Honourable Court:

No. 1. Letter from Mr. D. Marston to the Chief Secretary to Government, Bombay; dated 3 February 1852 - 1206
No. 2. Memorandum by the Uncovenanted Assistant to the Chief Secretary; dated 9 February 1852 - - 1209
No. 3. Minute by the Right honourable the Governor, concurred in by the Board; dated 10 February 1852 - 1212
No. 4. Letter from the Chief Secretary to Government, Bombay, to Mr. D. Marston; dated 2 March 1852 - 1212

30. Baroda Intrigues:

No. 1. Letter from Lieutenant-colonel Outram, C.B. Resident at Baroda, to the Chief Secretary to Government Bombay; dated 13 July 1850 - - - - - - - - - - - - - - - - - - 1216
No. 2. Memorandum by the Chief Secretary; dated 17 July 1850 - - - - - - - - - - 1217
No. 3. Minute by the Honourable Mr. Willoughby; dated 17 July 1850 - - - - - - - - 1217
No. 4. Minute by the Honourable Mr. Blane; dated 17 July 1850 - - - - - - - - - 1218
No. 5. Opinion of the Advocate-general, Bombay; dated 17 July 1850 - - - - - - - - - 1218
No. 6. Minute by the Honourable Mr. Willoughby, concurred in by the Honourable Mr. Blane and the Right honourable the Governor; dated 18 July 1850 - - - - - - - - - - - 1218
No. 7. Letter from the Chief Secretary to Government, Bombay, to Lieutenant-colonel Outram, C.B., Resident at Baroda; dated 18 July 1850 - - - - - - - - - - - - - - - - - 1218
No 8. Letter from Lieutenant-colonel Outram, C.B., to the Chief Secretary to Government, Bombay; dated 22 July 1850 - 1218
No. 9. Opinion by the Advocate-general, Bombay; dated 31 July 1850 - - - - - - - - - 1220
No. 10. Minute by the Hon. Mr. Willoughby, concurred in by the Honourable Mr. Blane; dated 31 July 1850 1220
No. 11. Letter from the Chief Secretary to Government, Bombay, to Lieutenant-colonel Outram, C.B.,; dated 1 August 1850 - 1220
No. 12. Letter from Lieutenant-colonel Outram, C.B., to the Chief Secretary to Government, Bombay; dated 16 August 1850 - 1221
No. 13. Anonymous Petition to the Address of the Chief Secretary; dated 13 August 1850 - - - - 1222
No. 14. Minute by the Right honourable the Governor, concurred in by the Honourable Mr. Willoughby; dated 18 August 1850 - - - - - - - - - - - - - - - - - - - 1222
No. 15. Minute by the Honourable Mr. Willoughby, concurred in by the Honourable Mr. Blane; dated 21 August 1850 - 1223
No. 16. Memorandum by the Chief Secretary; dated 24 August 1850 - - - - - - - - - 1223
No. 17. Further Minute by the Right honourable the Governor, concurred in by the Honourable Messrs. Willoughby and Blane; dated 27 August 1850 - - - - - - - - - - - - 1223
No. 18. Minute by the Hon. Mr. Blane; dated 27 August 1850 - - - - - - - - - - 1223
No. 19. Further Minute by the Right honourable the Governor; dated 30 August 1850 - - - - - 1223
No. 20. Further Memorandum by the Chief Secretary; dated 31 August 1850 - - - - - - 1224
No. 21. Further Minute by the Right honourable the Governor, concurred in by the Honourable Messrs. Willoughby and Blane; dated 4 September 1850 - - - - - - - - - - - 1224
No. 22. Letter from Captain Barr, Military Paymaster, to the Chief Secretary to Government, Bombay (no date) - 1224
No. 23. Minute by the Honourable Mr. Willoughby, concurred in by the Honourable Mr. Blane; dated 11 September 1850 - 1225
No. 24. Letter from the Chief Secretary to Government, Bombay, to Captain Barr; dated 11 September 1850 1225
No. 25. Extract from a Letter from Lieutenant-colonel Outram, C.B.; dated 7 September 1850 (with Enclosure) 1225
No. 26. Minute by the Right honourable the Governor, concurred in by the Board; dated 11 October 1850 - 1233
No. 27. Letter from Lieutenant-colonel Outram, C.B., to the Chief Secretary to Government, Bombay; dated 26 September 1850 - 1233
No. 28. Minute by the Right honourable the Governor; dated 14 October 1850 - - - - - - - 1236
No. 29. Minute by the Honourable Mr. Willoughby, concurred in by the Honourable Mr. Blane; dated 24 October 1850 - 1236
No. 30. Letter from H. E. Goldsmid, Esq., Secretary to Government, Bombay, to Lieutenant-colonel Outram, C.B.; dated 5 November 1850 - - - - - - - - - - - - - - - - - - - 1236
No. 31. Letter from Lieutenant-colonel Outram, C.B., to the Chief Secretary to Government, Bombay; dated 11 October 1850 (with Enclosure) - - - - - - - - - - - - - - - - 1236
No. 32. Minute by the Right honourable the Governor, concurred in by the Board; dated 21 October 1850 - 1237
No. 33. Memorandum by the Secretary to Government in the Political Department; dated 23 October 1850 - 1238
No. 34. Extract from Letter from Captain Barr, to the Chief Secretary to Government, Bombay; dated 18 October 1850 - 1238
No. 35. Letter from Captain Barr to H. E. Goldsmid, Esq, Secretary to Government, Bombay; dated 18 October 1850 - 1238
No. 36. Letter from Captain Barr to the Chief Secretary to Government, Bombay; dated 26 October 1850 - 1238
No. 37. Letter from Lieutenant-colonel Outram, C.B., to the Chief Secretary to Government, Bombay; dated 21 October 1850 - 1239
No. 38. Minute by the Right honourable the Governor, concurred in by the Board; dated 29 October 1850 - 1239
No. 39 & 40. Note from H. E. Goldsmid, Esq., Secretary to Government, to Captain Barr; dated 1 November 1850 - 1239

PAGE.
No 41. Letter from Lieutenant-colonel Outram, C.B, to the Chief Secretary to Government, Bombay; dated 14 August 1851 - 1239
No. 42. Office Memorandum by the Chief Secretary; dated 18 August 1850 - - - - - - - - - 1240
No. 43. Minute by the Right honourable the Governor, subscribed to by the Board; dated 19 February 1851 - 1240
No. 44. Letter from the Chief Secretary to Government, Bombay, to the Secretary to the Government of India; dated 20 February 1851 - 1240
No. 45. Letter from the Chief Secretary to Government, Bombay, to the Secretary to the Government of Fort St. George; dated 20 February 1851 - - - - - - - - - - - - - - - - - - 1241
No. 46. Letter from the Chief Secretary to Government, Bombay, to the Secretary to Government, North Western Provinces; dated 20 February 1851 - - - - - - - - - - - - - - - - - - 1241
No. 47. Office Memorandum by the Chief Secretary; dated 5 December 1851 - - - - - - - - 1241
No. 48. Letter from E. Thomas, Esq., Officiating Under Secretary to the Government of India, to the Chief Secretary to Government, Bombay; dated 20 February 1852 - - - - - - - - - - 1241
No. 49. Minute by the Right honourable the Governor, concurred in by the Board; dated 14 July 1851 - - 1242
No. 50. Memorandum by the Chief Secretary; dated 27 August 1851 - - - - - - - - - - 1243
No. 51. Minute by the Right honourable the Governor, concurred in by the Board; dated 7 September 1851 - 1251
No. 52. Letter from the Chief Secretary to Government, Bombay, to Lieutenant-colonel Outram, C.B.; dated 10 September 1851 - 1251
No. 53. Letter from Lieutenant-colonel Outram, C.B., to the Chief Secretary to Government, Bombay; dated 15 September 1851 - 1251
No. 54. Minute by the Right honourable the Governor, concurred in by the Board; dated 30 September 1851 - 1252
No. 55. Minute by the Right honourable the Governor; dated 29 September 1851 - - - - - - - - 1252
No. 56. Further Minute by the Right honourable the Governor, concurred in by the Honourable Messrs. Blane and Bell; dated 27 November 1851 - 1254
No. 57. Letter from the Chief Secretary to Government, Bombay, to Captain Barr, Military Paymaster, Bombay; dated 1 December 1851 - 1254
No. 58. Letter from Captain Barr to the Chief Secretary to Government, Bombay; dated 9 December 1851 - 1254
No. 59. Memorandum by the Chief Secretary; dated 10 December 1851 - - - - - - - - - 1255
No. 60. Minute by the Right honourable the Governor, concurred in by the Honourable Messrs. Blane and Bell; dated 11 December 1851 - 1256
No. 61. Letter from the Chief Secretary to Government, Bombay, to Captain Barr; dated 15 December 1851 - 1256
No. 62. Letter from Captain Barr to the Chief Secretary to Government, Bombay; dated 31 December 1851 - 1256
No. 63. Minute by the Right honourable the Government, concurred in by the Board; dated 6 January 1852 - 1257
No. 64. Letter from Captain Barr to the Chief Secretary to Government, Bombay; dated 31 December 1851 - 1257
No. 65. Minute by the Right honourable the Governor, concurred in by the Board; dated 6 January 1852 - 1258
No. 66. Circular from the Chief Secretary to Government, Bombay, to the Secretaries to Government; dated 7 January 1852 - 1258

31. Baroda Intrigues:

No. 1. Letter from the Chief Secretary to Government, Bombay, to the Secretaries to Government; dated 7 January 1852 - 1259
No. 2. Report of Committee appointed to inquire into certain Intrigues; dated 7 January 1852 - - - 1260
No. 3. Minute by the Right honourable the Governor, concurred in by the Honourable Mr. Bell; dated 17 March 1852 - 1274
No. 4. Minute by the Honourable Mr. Warden; dated 21 March 1852 - - - - - - - - - 1275
No. 5. Further Minute by the Right honourable the Governor, concurred in by the Board; dated 29 March 1852 - 1276

32. Baroda Intrigues:

No. 1. Minute by the Right honourable the Governor, concurred in by the Honourable Mr. Bell; dated 17 March 1852 - 1277
No. 2. Minute by the Honourable Mr. Warden; dated 1 April 1852 - - - - - - - - - - 1278

33. Khutput Report, by Lieutenant-colonel Outram:

No. 1. Letter from Lieutenant-colonel Outram, C.B., to the Chief Secretary to Government, Bombay; dated 31 October 1851 - 1279
No. 2. Minute by the Right honourable the Governor; dated 22 November 1851 - - - - - - - 1283
No. 3. Minute by the Honourable Mr. Blane; dated 22 November 1851 - - - - - - - - 1284
No. 4. Minute by the Honourable Mr. Bell; dated 22 November 1851 - - - - - - - - - 1285
No. 5. Minute by the Right honourable the Governor, concurred in by the Honourable Messrs. Blane and Bell; dated 23 November 1851 - 1285
No. 6. Letter from the Chief Secretary to Government to Lieutenant-colonel Outram, C.B., Resident at Baroda; dated 27 November 1851 - 1285

34. Resignation of Lieutenant-colonel Outram of the Office of Resident at Baroda:

PAGE.
No. 1. Letter from Lieutenant-colonel Outram, C.B., Resident at Baroda, to the Chief Secretary to Government, Bombay; dated 1 December 1851 - 1289
No. 2. Minute by the Right honourable the Governor, concurred in by the Board; dated 6 December 1851 - 1289
No. 3. Letter from the Chief Secretary to Government, Bombay, to Lieutenant-colonel Outram, C.B., Resident, Baroda; dated 7 December 1851 - 1289
No. 4. Letter from Lieutenant-colonel Outram, C.B., to the Chief Secretary to Government; dated 10 December 1851 - 1290
No. 5. Report by the Acting Civil Auditor; dated 15 December 1851 - 1290
No. 6. Minute by the Right honourable the Governor, concurred in by the Board; dated 15 December 1851 - 1290
No. 7. Letter from the Chief Secretary to Government, Bombay, to Lieutenant-colonel Outram, C.B., Resident, Baroda; dated 16 December 1851 - 1290
No. 8. Notification; dated 16 December 1851 - 1291
No. 9. Letter from Lieutenant-colonel Outram, C.B., Resident, Baroda, to the Chief Secretary to Government, Bombay; dated 19 December 1851 - 1291
No. 10. Minute by the Right honourable the Governor, concurred in by the Board; dated 7 January 1852 - 1291
No. 11. Letter from the Chief Secretary to Government, Bombay, to J. M. Davies, Esq.; dated 7 January 1852 1291
No. 12. Resolution of Government in the Political Department; dated 7 January 1852 - 1292
No. 13. Notification; dated 14 January 1852 - 1292
No. 14. Memorandum by the Deputy Secretary in the Persian Department; dated 12 January 1852 - 1292
No. 15. Letter from the Chief Secretary to Government, Bombay, to J. M. Davies, Esq.; dated 13 January 1852 - 1292
No. 16. Letter from the Chief Secretary to Government, Bombay, to Lieutenant Battye, Assistant Resident at Baroda; dated 13 January 1852 - 1293

35. Vindication tendered by Lieutenant-colonel Outram:

No. 1. Letter from Lieutenant-colonel Outram, C.B., Resident, Baroda, to the Chief Secretary to Government, Bombay; dated 15 December 1851 - 1294
No. 2. Minute by the Right honourable the Governor; dated 26 January 1852 - 1308
No. 3. Minute by the Honourable Mr. Blane; dated 27 January 1852 - 1311
No. 4. Minute by the Honourable Mr. Bell; dated 27 January 1852 - 1312
No. 5. Minute by his Excellency the Commander-in-Chief; dated 28 January 1852 - 1313
No. 6. Further minute by the Right honourable the Governor, concurred in by the Board; dated 28 January 1852 - 1313

36. Memorial from Lieutenant-colonel Outram, late Resident at Baroda:

No. 1. Letter from Lieutenant-colonel Outram, C.B., late Resident at Baroda, to the Chief Secretary to Government, Bombay; dated 12 February 1852 - 1314
Memorial of Lieutenant-colonel Outram to the Court of Directors; dated 12 February 1852 - 1315
No. 2. Minute by the Right honourable the Governor, concurred in by the Honourable Messrs. Blane and Bell; dated 12 February 1852 - 1318
No. 3. Letter from the Chief Secretary to Government, Bombay, to Lieut.-colonel Outram, C.B.; dated 13 February 1852 - 1318
No. 4. Letter from Lieutenant-colonel Outram, C.B., to the Chief Secretaay to Government, Bombay; dated 13 February 1852 - 1318
No. 5. Minute by the Right honourable the Governor; dated 14 February 1852 - 1319
No. 6. Minute by the Honourable Mr. Blane, concurred in by the Honourable Mr. Bell; dated 14 February 1852 - 1319
No. 7. Letter from the Chief Secretary to Government, Bombay, to Lieutenant-colonel Outram, C.B., dated 15 February 1852 - 1319
No. 8. Minute by the Right honourable the Governor: dated 28 February 1852 - 1319
No. 9. Minute by the Honourable Mr. Blane; dated 28 February 1852 - 1322
No. 10. Minute by the Honourable Mr. Bell; dated 28 February 1852 - 1322
No. 11. Further Minute by the Right honourable the Governor; dated 29 February 1852 - 1323
No. 12. Summary by the Chief Secretary; dated 11 March 1852 - 1323

37. Appendices to the Memorial from Lieutenant-colonel Outram:

Report on the Popular Belief in Khutput, Part I. - 1340
Ditto - Part II. - 1380
Letter from Lieutenant-colonel Outram, C.B., Resident at Baroda, to the Chief Secretary to Government, Bombay; dated 13 January 1852 - 1449
Report on the Popular Belief in Khutput, Part III. - 1449
Appendix (A.) to Khutput Report, Part II. - 1484
Appendix (B.) to Khutput Report, Part II.—Evidence relative to two Charges of Bribery against Nursoo Punt, late Native Agent at Baroda - 1488
Appendix (C.) Translation of a Yad from his Highness the Guicowar to the Resident; dated 7 October 1850 - 1503

(*continued*)

38. On Lieutenant-colonel Outram's Khutput Report:

PAGE.
No. 1. Memorandum by the Chief Secretary to Goverment, Bombay - - - - - - - - - 1507
No. 2. Minute by the Right honourable the Governor, concurred in by the Honourable Messrs. Blane and Bell; dated 29 April 1852 - - - - - - - - - - - - - - - - 1509
No. 3. Minute by the Honourable Mr. Warden; dated 5 May 1852 - - - - - - - - - 1512
No. 4. Further Minute by the Right honourable the Governor, concurred in by the Honourable Messrs. Blane and Bell (without Date) - - - - - - - - - - - - - - - - 1513
No. 5. Further Minute by the Honourable Mr. Warden (without Date) - - - - - - - - 1514

COPIES of all CORRESPONDENCE and PAPERS on the Subject of Colonel *Outram*'s REMOVAL from the Office of RESIDENT at the Court of the GUICOWAR, or on the Subject of the alleged CORRUPTION of OFFICERS of the Bombay Government with BRIBES from *Baroda*.

1.

CORRESPONDENCE between the Government of Bombay and the Court of Directors.

No. 88 of 1851.—Political Department.

To the Honourable the Court of Directors for Affairs of the Honourable East India Company, London.

Honourable Sirs,

1. WE beg to forward to your Honourable Court, copy of a Report from Lieutenant-colonel Outram, C.B., Resident at Baroda, dated the 16th December 1850, on the subject of a voluminous correspondence which passed during the latter portion of last year, between that officer and the late Mr. W. C. Andrews, of the Bombay Civil Service, who, at that period, held the appointment of Judge and Session Judge, and Agent for the Right honourable the Governor at Surat, and who officiated as Resident at Baroda during the absence of Sir Robert Arbuthnot on sick certificate, from the 27th April 1846, to the 2d June 1847.

2. This correspondence has reference to a document which was discovered in the month of July 1850, during an examination that, by order of Lieutenant-colonel Outram, was made at the Baroda residency, of the private papers* of Baba Nafra, manager of the banking firm of Hurree Bhugtee of Baroda. This document appears to be a rough memorandum of entries to be made in the books of the firm.

* Which had been taken to the Baroda residency for that purpose.

3. The parties who were employed by Lieutenant-colonel Outram, in the examination of Baba Nafra's papers, intimated to that officer their belief that the above document showed that a sum of money had been paid by Baba Nafra to certain persons, for the purpose of obtaining their influence with Mr. Andrews in a matter then about to be subjected to his judicial decision.

4. For our sentiments upon the subject, we beg to refer to a minute recorded by our Right honourable President, dated the 19th instant (concurred in generally by the Board), to two minutes recorded by the Honourable Mr. Blane, dated the 20th and 22d instant, and to one by the Honourable Mr. Bell, dated the 21st instant, and to a letter which we have caused to be addressed this day to Lieutenant-colonel Outram, communicating our views and decision upon this case.

We have, &c.
(signed) *Falkland.*
D. A. Blane.
A. Bell.

Bombay Castle, 26 December 1851.

No. 90 of 1851.—Political Department.

To the Honourable the Court of Directors for Affairs of the Honourable East India Company, London.

Honourable Sirs,

1. We beg to reply to the following paras. (8 to 10) of your Honourable Court's despatch, dated the 15th January, No. 3 of 1851.*

2. On receipt of this despatch, we forwarded an extract, paras. 8 and 9, and the first portion of para. 10, to Captain French, with a request that, with reference to the remarks of your Honourable Court therein contained, he would furnish Government with a full explanation as to the part he was alleged to have taken in the proceedings complained of by Venayek Moreshwur Phurkey.

3. Captain French's reply to the above reference, dated the 11th June last, accompanies this despatch. For our sentiments on this communication, we beg to refer to a minute recorded by our Right honourable President, under date the 26th June last, concurred in by the Board.

4. We have furnished Lieutenant-colonel Outram with an extract, paras. 8 and 9, and the first portion of para. 10 of your Honourable Court's despatch, and our extract, paras. 6 and 8, from Captain French's communication above alluded to, accompanied by an intimation that we adhere to the decision already passed by Government in this case, and that we see no reason for any interference being exercised by Government between Venayek Moreshwur Phurkey, and his Highness the Gaekwar.

We have, &c.
(signed) *Falkland.*
D. A. Blane.
A. Bell.

Bombay Castle, 1 December 1851.

No. 91 of 1851.—Political Department.

To the Honourable the Court of Directors for Affairs of the Honourable East India Company, London.

Honourable Sirs,

1. We beg to submit to your Honourable Court an extract from the further proceedings of this Government on the subject alluded to in the following para.

---

*Para. 8. With reference to the complaint of Venayek Moreshwur Baba Phurkey, of oppressive treatment by the Gaekwar Government, the Court observe that Lieutenant-colonel Outram's letter of 22 June 1850, seems to establish conclusively, that this individual is a British subject, and that Captain French, who, while officiating Resident at Baroda, led Government to believe, on most insufficient grounds, that he had forfeited the rights belonging to him in that character, is justly chargeable with culpable negligence.

Para. 9. Baba Phurkey was, the Court observe, for a short time, in the service of the Gaekwar, from which he was dismissed, and according to his own statement and Lieutenant-colonel Outram's, was, on a false charge of conspiracy, placed in confinement, his house searched, and many of his papers carried off, he being subsequently liberated on giving security that he would not leave Baroda for three months.

Para. 10. By accepting office under the Gaekwar, the Court remark, Baba Phurkey voluntarily subjected himself to such chances of subsequent molestation by his Highness's officers, as might arise from the customary practices of the Baroda State; and that although, therefore, Lieutenant-colonel Outram expresses a strong conviction that the treatment to which that individual has been subjected, was brought on him solely by the aid which he afforded to the Resident in detecting malversation and corruption, there would have been no ground in which Government could be called on to interfere in the matter, were it not asserted by Baba Phurkey, that the harsh measures were adopted in concert with the officiating Resident Captain French, who admits that he suggested that individual's dismissal from office; that instead, however, the Court remark, of referring Colonel Outram's letter to Captain French for explanation, Government gave a virtual rebuke to Lieutenant-colonel Outram for bringing forward the subject. The Court regret that Government did not accept Captain French's offer to give that full explanation which was due to Government, in regard to his alleged part in the transaction complained of, and the Court direct that the opportunity of giving such explanation be now afforded to him.

para. 2 of your Honourable Court's despatch*, dated the 13th February, No. 4, of 1850.

2. In the seventh para. of our Political despatch, dated the 17th September last, No. 69 of 1851, we informed your Honourable Court that we had received a voluminous report from Lieutenant-colonel Outram, C. B., Resident at Baroda, dated the 31st March last, of the result of inquiries he had instituted, conceiving Joetabhaee Setanee to have been "the victim of one of the most foul conspiracies on record," and "been nefariously deprived of her child, her liberty, her worldly wealth, and her good name, by her own unfaithful steward" Baba Nafra, the moonim goomashta, or managing agent of the banking firm of Hurree Bhugtee, of which firm, Bechur Samuldoss, the deceased husband of Joetabhaee, was the head partner.

3. We have now the honour to submit a copy of the above Report,† from which your Honourable Court will observe, that Baba Nafra was, in the month of August 1850, tried at Baroda, by a punchayet appointed for the purpose by his Highness the Gaekwar, upon the following charges:

1st. With having bribed certain Koolees belonging to the British village of Meetapoor falsely to assert that Joetabhaee, the younger wife of Beechur Samuldoss, had purchased from them a boy which she had passed off as the posthumous child of her deceased husband, with a view to defraud the other widow and child of the deceased banker.

2d. That he had suborned false witnesses to assert, that the first spurious child having died, Joetabhaee, with a fraudulent intent, supplied its place by another boy purchased from Koolees, of Amleeara, a village situated within the Gaekwar territory, but the property of the firm of Hurree Bhugtee, of which he, Baba Nafra, was the managing agent, and over which he exercised absolute control. This count was pronounced not proven.

3d. That he had procured the forcible abduction of the boy, whose spuriousness he had thus endeavoured to establish by the subornation of perjury, and as the abducted boy had died while in the hands of certain Arabs, to whose custody he had been consigned by Baba Nafra, it was further left to the punchayet to determine, whether, in addition to the crimes of conspiracy, subornation of perjury and abduction, the Baba had not been guilty of the heinous offence of compassing the child's death.

4. Baba Nafra has been convicted upon the first, and, in part, upon the last of the above charges, and has been sentenced by the punchayet to pay a fine of 15,500 rupees, and to be imprisoned for the period of seven years. This award has been confirmed by his Highness, who has further directed that the sentence of imprisonment be undergone by Baba Nafra "in irons."

5. Your Honourable Court will observe that, as by his conviction in the above disgraceful charges, Baba Nafra, who is a subject of his Highness the Gaekwar, has forfeited, in as far as regards himself, all claims to protection from the British Government, which could otherwise have been claimed under our guarantee to the firm of Hurree Bhugtee, we have not deemed it our province in any way to interfere with the sentence which has been passed upon him by his Highness.

6. The guilt of Baba Nafra having been substantiated, Joetabhaee has, in consequence, been re-admitted to the favour of her sovereign, and no further interference on the part of Government in her behalf in this matter appears to us, with reference to the general circumstances of the case, to be requisite.

7. For

* In reply to Political Despatch from this Government, dated 30 August, No. 84 of 1849, paras. 1 to 3. Para. 2. The Court observe that the question in dispute in the family of the late Bechur Samul, head of the guaranteed firm of Hurree Bhugtee, was, whether a son alleged to have been born to Joetabhaee Setanee, the second widow of the deceased, was genuine or suppositious. Joetabhaee having objected to the referees appointed by the Gaekwar to investigate the case, and having refused to join in the appointment of a punchayet, the Court approve of the resolution of Government to decline interference in her behalf. The Court observe, that no doubt is entertained by Captain French, acting Resident at Baroda, of the spuriousness of the alleged posthumous child.

† The enclosures to this report being very voluminous, will be sent by the Southampton mail on the 17th instant, (signed) *W. Malet*, Chief Secretary, 3 December 1851.

7. For our sentiments in detail upon this most intricate and perplexing case, we beg to draw the attention of your Honourable Court to a minute recorded by our Right honourable President, dated the 10th ultimo, and to two minutes by the Honourable Mr. Blane, and the Honourable Mr. Bell, dated the 24th and 26th, expressing their general concurrence in the conclusion therein arrived at.

We have, &c.
(signed) *Falkland.*
D. A. Blane.
A. Bell.

Bombay Castle,
3 December 1851.

No. 92 of 1851.—Political Department.

To the Honourable the Court of Directors for Affairs of the Honourable East India Company, London.

Honourable Sirs,

1. WITH a letter dated the 12th September last, Lieut.-colonel Outram, C.B., Resident at Baroda, reported to Government that Mr. Gregor Grant, of the Bombay Civil Service, who holds the appointments of Puisne Judge of the Sudder Dewanee and Sudder Foujdaree Adawlut, and Judicial Commissioner for Guzerat and the Konkan, had, about two months previously, been requested by some person in Bombay, unknown to Lieutenant-colonel Outram, to forward to that officer, for the purpose of being dealt with as he might deem proper, a "Muratha note," stated to be of a treasonable nature, affecting the interests of his Highness the Gaekwar.

May Shree Gujanum be favourably disposed!
The representation of Taburkur is as follows: According to the arrangement, I am endeavouring to make Futtesing Maharaj, and to convince (you) you should be patient. On this subject an oath in the name of Hermubha has already been administered. Let this be known to you. This is the prayer.

2. This Muratha note, which was to the effect quoted in the margin, professed to have been addressed to Appa Saheb, the eldest brother of his Highness the Gaekwar, by a high official of the Baroda Durbar, and might, Lieutenant-colonel Outram considered, be a forgery, designed to excite distrust and enmity between his Highness and his brother Appa Saheb, and that officer therefore deemed the matter to be one in which he ought not to interfere.

3. On the night of the 10th September last, however, Lieutenant-colonel Outram received a confidential communication from his Highness the Gaekwar, intimating his cognizance of the existence of the above "Muratha note," and requesting that it might immediately be sent to his Highness for his inspection. Lieutenant-colonel Outram having complied with this request, his Highness addressed that officer a further confidential communication, in which his Highness solicited that he would bring the subject of the note to the notice of this Government, with the view to means being adopted for the discovery of the person who had "fabricated" it; at the same time requesting to be informed of the name of the party by whom it had been delivered to Mr. Grant, and with what object, and also how he had become possessed of it. His Highness also requested that, on the "fabricator of the note" being discovered, Government would cause him to be made over to his Highness's charge.

4. On receipt of the above communication, our Right honourable President recorded the Minute dated the 20th September last, a copy of which forms enclosure No. 2, to the collection accompanying this despatch. This Minute was concurred in by the Board, and on the 22d of the same month we caused a letter to be addressed to Mr. Grant, expressive of our surprise that a high functionary in his position could have become the channel of transmission of such a paper to the Resident at Baroda, and desiring that he would forthwith report to Government the name of the writer of the note in question, and the circumstances under which it came into his possession; at the same time explaining the whole of his proceedings in connexion with this extraordinary affair. Mr. Grant's reply to this call forms enclosure No. 6. This gentleman stated that he was unable, of his own knowledge, to state the name of the writer of the "Muratha note," but that it had been sent to him privately by an individual whose safety would be endangered were his name to be disclosed.

5. For

5. For our sentiments upon this communication, we beg to refer to the minutes recorded by our Right honourable President, and by the civil members of the Board, under the dates noted in the margin.* In his minute dated the 13th October, our Right honourable President stated, for reasons mentioned by his Lordship, that he was of opinion every possible aid should be rendered by Government to his Highness the Gaekwar, with the view of tracing out the author of the note in question, and suggested that Mr. Grant should be imperatively required to disclose the name of the person who had sent it to him, accompanied by information as to the channel through which it was received.

* *See* below.

6. The Honourable Mr. Blane, and the Honourable Mr. Bell, for reasons mentioned in their minutes dated the 16th and 17th October last, doubted the expediency of Government undertaking to trace out for the Baroda Durbar, the authors of the document in question, and suggested that Mr. Grant should not be peremptorily required to furnish the information proposed by our Right honourable President, but that in intimating to that gentleman our most serious displeasure for the part he had taken with reference to this "note," he should be informed that Government considered it was incumbent upon him voluntarily to make every possible amends, by furnishing the fullest information on all particulars in his power, and that although under the representation contained in his letter above alluded to, Government refrained from insisting upon his doing so, the case would be submitted for the consideration and orders of your Honourable Court.

7. Our Right honourable President, in a further minute dated the 26th October, stated that he adhered to the views expressed in his former minute of the 13th of the same month, but that while willing to defer for the present the discussion of our obligations towards the Gaekwar, and the policy of assisting his Highness in this inquiry, his Lordship was decidedly of opinion that the letter he had proposed should be addressed to Mr. Grant, and that his Lordship was so deeply sensible of the importance of compelling that gentleman to render to Government the information he had been requested in the Government letter addressed to him on the 22d September last to furnish, that his Lordship was quite prepared to take upon himself the responsibility of the measure, provided his colleagues continued to dissent from the adoption of this course.

8. The Honourable Mr. Blane, in his minute dated the 28th October, stated that as he would not be prepared to proceed to extreme measures for compelling Mr. Grant to furnish the information required from him in the event of that gentleman persisting in his former plea for declining to do so, he was not of opinion that it would be advisable to make so peremptory a demand on Mr. Grant as that proposed by our Right honourable President. This minute having been concurred in by the Honourable Mr. Bell, our Right honourable President directed that, with reference to the intimation contained in his minute (dated the 13th October last) alluded to in the preceding paragraph, the letter he had suggested be at once addressed to Mr. Grant. This was accordingly done on the 1st ultimo.

9. A copy of Mr. Grant's reply to this reference, dated the 3d ultimo, accompanies this despatch, and to which we beg to refer, as containing information upon the points on which that gentleman was required to furnish the same, accompanied by an explanation of the causes which had induced him to interfere in this case.

10. On receipt of this reply, our Right honourable President, in a minute dated the 9th ultimo, suggested that Mr. Grant should be informed that Government regarded his conduct in this matter with the greatest displeasure, and that any interference on his part, direct or indirect, in matters connected with the affairs of the Baroda State, was henceforth peremptorily forbidden.

11. His

* 1. Minute by the Right honourable the Governor, dated 26 September 1851, concurred in by the Board; 2. Further minute by the Right honourable the Governor, dated 13 October 1851; 3. Minute by the Honourable Mr. Blane, dated 16 October 1851; 4. Minute by the Honourable Mr. Bell, dated 17 October 1851; 5. Further minute by the Right honourable the Governor, dated 26 October 1851; 6. Further minute by the Honourable Mr. Blane, dated 28 October 1851, concurred in by the Honourable Mr. Bell; 7. Further minute by the Right honourable the Governor, dated 30 October 1851.

11. His Lordship at the same time suggested the removal of Mr. Grant from the post of Judicial Commissioner for Guzerat, which would in no way affect his position as a judge in the Sudder Court, but would prevent him from visiting as Judicial Commissioner the country near Baroda, where his interference in matters connected with the affairs of the State has occasioned considerable embarrassment to Government. On a perusal of the proceedings connected with Joetabhaee Setanee, reported by the present overland mail in our political despatch dated the 3d instant, No. 91, your Honourable Court will observe that Lieutenant-colonel Outram consulted Mr. Grant in the early part of the present year as to his general opinion in the case of this lady, and that Mr. Grant* referred the matter to his sheristadar, and mixed up as we have lately ascertained Mr. Grant has been, in matters relating to persons connected with Baroda, we consider that the course pursued by Lieutenant-colonel Outram in consulting him in Joetabhaee's case was highly objectionable.

12. The Honourable Mr. Blane and the Honourable Mr. Bell, for reasons recorded in their minutes dated the 8th and 10th ultimo, while considering that Mr. Grant should be peremptorily forbidden from hereafter in any way interfering in matters connected with the Baroda State, and be also prohibited from visiting Baroda on any of his future circuits as Judicial Commissioner, were of opinion that his removal from his circuit, as proposed by our Right honourable President, was uncalled for. The opinion of the majority of the Board has accordingly been acted upon.

13. On the 15th ultimo, we communicated to the Resident at Baroda such portion of the information contained in Mr. Grant's letter to Government, dated the 3d ultimo, as we considered requisite, with authority, provided he saw no good reason to the contrary, to impart personally to his Highness the Gaekwar, the channel through which Mr. Grant received the "Muratha note" above alluded to, and the name of the party from whom it came. Lieutenant-colonel Outram's reply to this communication, dated the 22d ultimo, forms enclosure No. 24 to the collection which accompanies this despatch.

We have, &c.
(signed) *Falkland.*
D. A. Blane.
A. Bell.

Bombay Castle, 3 December 1851.

Political Department, 31 January (No. 9) 1852.

To the Honourable the Court of Directors, &c.

Honourable Sirs,

In continuation of our despatch, dated the 3d December last, No. 91 of 1851, reporting our proceedings in the case of Joetabhaee Setanee, second widow of the late Bechur Samul, head of the guaranteed banking firm of Hurree Bhugtee, of Baroda, we have the honour herewith to forward to your Honourable Court, copy of a letter from Lieutenant-colonel Outram, C.B., late Resident at Baroda, dated the 11th November last, on the subject of the amounts alleged by that officer to have been fraudulently appropriated from the treasury of that firm to his own use, by Baba Nafra, the late managing agent.

2. In reply to the above communication, we have informed the Resident at Baroda, that although it seems highly probable that Baba Nafra has acted unfaithfully to the firm of Hurree Bhugtee, in his capacity of managing gomashta, yet the guarantee not requiring Government to interfere in the mode of conducting the affairs of the firm, or of punishing its fraudulent servants, those matters must be left to the jurisdiction of the constituted authorities of the country, whose functions, when justly exercised, neither the British Government

* For Reports upon this case by Mr. Grant and by his sheristadar, *vide* Appendix (K.) to Lieutenant-colonel Outram's Report in the case of Joetabhaee Setanee, accompanying political despatch, dated 3 December, No. 91, of 1851.

ment nor its representative at the Baroda Court, has any power or right to supersede.

3. We have at the same time informed the Resident, that Joetabhaee Setanee having been restored as far as possible to her true position as a member of a family possessing the British guarantee, may now be left to take such steps as, in accordance with the usage of Baroda, would under similar circumstances be taken by a non-guaranteed party.

4. If, however, as would appear to be the case from the last para. of Lieutenant-colonel Outram's letter, this lady suffers from non-payment of pecuniary claims, we have directed the Resident to move his Highness the Gaekwar, to require from the firm the payment to her of any shares or allowances to which her position may have entitled her, from the date of the death of her husband.

We have, &c.
(signed) *Falkland.*
J. Grey.
D. A. Blane.
A. Bell.

Bombay Castle,
31 January 1852.

Political Department, 28 February (No. 22) 1852.

To the Honourable the Court of Directors, &c.

Honourable Sirs,

1. With our despatch,* dated the 3d December last, No. 91, we forwarded to your Honourable Court our proceedings in the case of Joetabhaee Setanee, second widow of the late Bechur Samul, head of the guaranteed banking firm of Hurree Bughtee, of Baroda. We have now the honour to forward copy of a voluminous letter from Lieutenant-colonel Outram, C. B., late Resident at Baroda, dated the 12th ultimo, remonstrating against the general tenor of the Government letter† to his address of the 1st December last, No. 422, containing our decision in this case, and especially against the impression entertained by Government, that evidence of an absolutely conclusive nature was not submitted in his report, dated the 31st March 1851, in support of the allegation of Joetabhaee Setanee, of her having, under the circumstances alleged by her, given birth on the 22d December 1845, to a male child, the offspring of her deceased husband.

* *Vide* also political despatch from this government, dated 31 January, No. 9 of 1852.

2. For our sentiments upon the several points embraced in this communication, we beg to refer to the minutes recorded by our Right honourable President and by the civil members of our Board, under the dates noted in the margin.‡

‡ *See* below.

We have, &c.
(signed) *Falkland.*
D. A. Blane.
A. Bell.

Bombay Castle,
28 February 1852.

Extract Political Letter from Bombay, dated 3 March (No. 24) 1852.

11. As connected with our despatches dated the 3d December (No. 91) of 1851, and the 17th ultimo (No. 19) of 1852, we beg to state that, under the circumstances explained in the proceedings which form Collection No. 9, accompanying our present despatch, we, on the 24th ultimo, authorized Mr. Davies, the Resident at Baroda, to require the resignation of their appointments by the four karkoons therein mentioned, belonging to the office establishment of that residency, who were suspended from employment by his predecessor, Lieutenant-colonel Outram.

† Copy of which formed enclosure No. 7 to Collection No. 1, accompanying political despatch from the Bombay Government, dated 3 December, No. 91, of 1851.

‡ Minute by the Right honourable the Governor, dated 13 February 1852; Minute by the Honourable Mr. Blane, dated 14 February 1852; Minute by the Honourable Mr. Bell, dated 16 February 1852; further Minute by the Right honourable the Governor, dated 21 February 1852, concurred in by the civil members of the Board.

Political Department, 2 June (No. 17) 1852.

Our Governor in Council at Bombay.

Subjects connected with Baroda.—Political Letters dated 26 November (No. 88) 1851; 1 December (No. 90) 1851; 3 December (No. 91) 1851; 3 December (No. 92) 1851; 31 January (No. 9) 1852; 28 February (No. 22) 1852.

1. We now reply to your Political Letters, enumerated in the margin, on subjects connected with Baroda.

Answer to Political Letter, dated 26 November (No. 88) 1851.*

2. The papers of Baba Nafra, the manager of the firm of Hurry Bhugtee, having been seized by order of the Guicowar Government, and submitted to the examination of a committee of bankers and others, a memorandum, or rough account, was found, which appeared to some or all of the members of the committee to be indicative of payments made to persons believed to have influence with Mr. Andrews, partly for their own use, and partly for the purpose of bribing that officer. Lieutenant-colonel Outram immediately informed Mr. Andrews of the corrupt use which he supposed to have been made of that gentleman's name, and a most irregular correspondence followed, which assumed a very acrimonious tone. We agree with your Government that nothing has been elicited to confirm the surmise that any corrupt transaction had taken place. We are satisfied, however, that Lieutenant-colonel Outram was actuated by no feelings but zeal for the integrity of the public service, and friendly regard for the honour and character of Mr. Andrews. The death of that officer renders useless and inexpedient any more particular remarks on the subject.

Answer to Political Letter, dated 1 December (No. 90) 1851.†

3. Captain French states that his only concern in the conduct of the Guicowar to Baba Phurkey, consisted in his having on one occasion observed to his Highness that "there was little wisdom in, on the score of poverty, declining to meet the wishes of government, when he gave a salary of 200 rupees per month to a man holding no office, a man his father had ordered to be expelled the city." The circumstance that Baba Phurkey held no office is now for the first time brought forward; and Captain French being of opinion that the salary was paid to Baba Phurkey from fear of his intrigues, and "to keep him quiet," we think he was justified in making the remark in question to the Guicowar.

4. The comments of Captain French, in paras. 2 to 5 of his letter, on the paras. of our despatch (No. 3) of 1851, which you communicated to him, are censurable in tone, and groundless in matter. There is not, as he alleges, an inconsistency between the two statements, that Baba Phurkey still retained the rights of a British subject, and that you could not admit any claim, on account of those rights, to be protected in respect to matters directly arising from his having accepted service under the Guicowar. The opinion we expressed of the culpable negligence of Captain French in representing Baba Phurkey not to be a British subject, is confirmed by his present explanation.

Answer to Political Letter, dated 3 December (No. 91) 1851.

Answer to Political Letter, dated 31 January (No. 9) 1852.

Answer to Political Letter, dated 28 February (No. 22) 1852.

5. The voluminous papers transmitted with this letter‡ fully establish that Joitabaee, the younger widow of Bechur Samul, head of the firm of Hurree Bhugtee, has been the victim of a nefarious plot, concocted by Baba Nafra, the managing gomastah of the firm, and of which the instruments were forgery, coercion

* Correspondence between Lieutenant-colonel Outram and Mr. Andrews, respecting a memorandum found in the papers of Baba Nafra.

† Transmitting explanations by Captain French, as called for by Court, respecting his connexion with the alleged oppressive proceedings of the Guicowar Government towards Venaik Moushwur Baba Phurkey.

‡ Report of Lieutenant-colonel Outram on the case of Joetabhaee Setanee.

coercion of witnesses, subornation of perjury, and the forcible abduction of a child, who had been for eighteen months acknowledged to be the legitimate son of Joitabaee, and who, under pretence of being spurious, was delivered over by Baba Nafra to certain Coolies, alleged to be his real parents, soon after which he died. The widow was kept for nearly three years under a guard, without any provision from the firm for her support, and was disgraced and expelled from caste. These iniquities were accomplished by means of Baba Nafra's powerful influence with the ministers and servants of the Guicowar; and though Joitabaee claimed the protection of the British Government, under the guarantee given to the firm, her complaints were disregarded, in consequence of the very superficial examination which Captain French gave to the proceedings, and the readiness with which he adopted the view of the affair which was suggested to him by interested persons.

6. Shortly, however, after Lieutenant-colonel Outram resumed charge of the Residency, a quarrel among the conspirators led to disclosures which that officer followed up, under great difficulties, with an indefatigable industry and zeal which entitle him to high commendation. The result is exhibited in the long and elaborate report now before us. Baba Nafra, having been tried by a punchayet appointed by the Guicowar, has been found guilty of a part of the charges preferred against him, and has been sentenced by the punchayet to a fine of 15,500 rupees, and seven years' imprisonment, to which his Highness has added the further penalty of irons. Lieutenant-colonel Outram contends, with some appearance of justice, that the punchayet were unduly influenced in favour of Baba Nafra. But, without entering into any of the points on which difference of opinion exists, we are fully satisfied that the guilt of that individual is established to an extent sufficient to justify the punishment to which he has been sentenced by his sovereign. And as it was afterwards reported to you by Lieutenant-colonel Outram that Baba Nafra's confinement was almost nominal, we approve your having directed the Resident, if the statement should be confirmed on inquiry, to represent to the Guicowar the impropriety of any indulgence to this criminal. You will inform us of the result of this representation.

7. We approve your having declared the guarantee forfeited, so far as Baba Nafra is personally concerned. Joitabaee has been restored to caste, and to her position in the family; and the Guicowar has been called on "to require from the firm the payment to her of any shares or allowances to which her position may have entitled her from the date of the death of her husband."

8. It is greatly to be regretted that oppression of so odious a character should have been practised against a person entitled to British protection, and its detection so long deferred, where a British representative was present with authority to interfere. But we are of opinion that you could not, at any period of this unfortunate affair, have acted otherwise than you did on the information you possessed. And while thus fully acquitting your government, we must do the same justice to Lieutenant-colonel Outram, who, in his letter dated 12th January 1852, has, in our opinion, completely cleared himself from any blame connected with the earlier stages of the inquiry, of which the ultimate success is wholly attributable to his exertions. The error into which you were led was partly owing to the unfortunate accident of a change of Resident at the most critical moment in the progress of the transaction; and the remainder of the responsibility must rest on Captain French, to whom, even after all the allowances made for him in your President's minute of 10th November 1851, a large share of blame remains imputable.

9. Baba Nafra is accused of having made away with a great portion of the property of the firm of which he was manager. The items in his accounts which are disputed by the firm amount to Rs. 4,05,043. 11. 9. in addition to which the property in the current treasury of the firm is valued at only three lacs of rupees, while it is believed that not less than ten lacs in jewels and six in specie ought to have been forthcoming; the lists and memoranda, however, which would have shown the amount of property in the treasury at the time of the late sheikh's death, have disappeared. You have very properly desired the Resident to advise the Guicowar to hold Baba Nafra responsible either for the production of the missing accounts, or for the payment of the estimated defalcation. You will report to us what may be done in consequence of these orders.

Answer to Political Letter, dated 3 December (No. 92) 1851.*

10. The note in question is either a treasonable letter written by Bhow Tambeykur, the Guicowar's minister, to Appa Sahib, brother of his Highness, or it is a forgery, intended to discredit and ruin the imputed author. In either case the Guicowar is entitled to your best assistance, for the purpose of ascertaining the origin of the document.

11. From the explanations furnished by Mr. Grant, in answer to a peremptory demand by Government (he having at first withheld the name of his informant), it appears that the note was given to him by an agent of Baba Phurkey, "with a view to Mr. Grant's opinion being obtained as to the advisability of its being made use of for his own justification by the said Venaick Moreshwur" (Baba Phurkey) "who had been charged by the alleged writer with the very crime which the note, if authentic, brought home to his accuser."

12. Mr. Grant was greatly to blame, first, in allowing himself to be consulted by a private individual respecting the course to be pursued for the promotion of that individual's interests at Baroda; and next, in sending the paper to the Resident, and in making known its purport to the Guicowar's vakeel. To this we must add, that he ought still less to have sent the paper to Lieutenant-colonel Outram unaccompanied with information respecting the source from which it reached him, information absolutely indispensable to any measures for ascertaining its origin and genuineness. We concur in the censure you have passed on Mr. Grant, and approve your having interdicted him not only from interfering directly or indirectly in Baroda affairs, but from visiting Baroda on any of his future circuits.

13. Lieutenant-colonel Outram afterwards took evidence respecting the paper in question. The evidence in support of its being written by Bhow Tambeykur (independently of handwriting) consists in the testimony of Umrut Row Bulwunt, a discharged carcoon of that minister, who affirms that the note was given to him by Bhow Tambeykur to be delivered to Appa Sahib, but that he, for his own safety, kept the note and pretended to have mislaid it. From this person Baba Phurkey affirms that he himself received it. You had as yet passed no orders on the subject, but you will doubtless have considered it proper that the evidence taken by Lieutenant-colonel Outram should be communicated to the Guicowar.

We are, &c.
(signed) *J. W. Hogg.*
R. Ellice.
London, 2 June 1852. &c. &c.

No. 5 of 1852.—Political Department.

To the Honourable the Court of Directors, &c.

Honourable Sirs,

With a letter dated the 17th November last, Lieutenant-colonel Outram, C.B., the late Resident at Baroda, forwarded to Government, translations of two communications which had been addressed to him on the 14th of the same month by his Highness the Gaekwar, complaining of the tenor of editorial articles published in the "Bombay Telegraph and Courier" newspaper, of the 29th and 30th October last, as being, in his Highness' opinion, calculated to degrade his Highness' government. For information relative to the intimation we directed the Resident to make to his Highness on this subject, we beg to refer to our Chief Secretary's letter to that officer, dated the 4th ultimo.

We have, &c.
(signed) *Falkland.*
J. Grey.
D. A. Blane.
Bombay Castle, 17 January 1852. *A. Bell.*

---

* Concerning a Mahrattee note stated to be of a treasonable nature affecting the interests of his Highness the Guicowar, which was forwarded to Lieutenant-colonel Outram by Mr. Gregor Grant, Judicial Commissioner for Guzerat and the Concan.

Political Department, 17 January (No. 6) 1852.

To the Honourable the Court of Directors, &c.

Honourable Sirs,

As connected with our despatch, dated the 1st December last, No. 9, reporting proceedings connected with Venayek Moreshwur Phurkey, formerly employed under the political agent in the Rewa Kanta, we have the honour herewith to transmit to your Honourable Court an extract from our proceedings on the subject of a charge of bribery preferred against that individual by Sahiba, widow of the late Thakoor Jellimsingjee, of Bhaderwa.

2. Venayek Moreshwur Phurkey is stated by the complainant and her witnesses to have received the alleged bribe as far back as the year 1840–41, and nearly nine years have elapsed since the accused was in the employment of Government, and we are of opinion that the evidence which has been adduced against him on the present occasion is not trustworthy, and that it is therefore unnecessary to take further notice of the accusation brought against him.

We have, &c.

(signed) *Falkland.*
J. Grey.
D. A. Blane.
A. Bell.

Bombay Castle, 17 January 1852.

Political Department, 3 February (No. 15) 1852.

To the Honourable the Court of Directors, &c.

Honourable Sirs,

We have the honour to forward to your Honourable Court copies of 12 letters from Lieutenant-colonel Outram, C.B., late Resident at Baroda, dated the 8th, 13th and 31st October, the 8th, 11th, 21st, 23d and 27th November, and the 2d, 13th and 15th December last, bringing to the notice of Government the fact of copies of official documents, connected with cases in which the interests of Government were concerned, having been illicitly obtained from the Bombay Secretariat or other sources, by parties alleged to be in the pay of Bhow Tambekur, minister of his Highness the Gaekwar, at the same time stating that Bhow Tambekur has also been lately endeavouring by corrupt means to obtain the abolition of the Guzerat irregular horse.

2. For our sentiments on these communications, we beg to refer to the minutes of our Board, recorded under the dates enumerated in the margin,* and also to a memorandum by our Chief Secretary, dated the 8th ultimo, indicating that precautions have been taken to prevent information being illicitly obtained in future from the Political and Secret Departments of the Secretariat.

* *See* below.

3. From

* Minute by the Honourable Mr. Blane, dated 12 October 1851, concurred in by the Honourable Mr. Bell; Minute by the Right honourable the Governor, without date; Minute by the Right honourable the Governor, dated 24 October 1851; Minute by the Honourable Mr. Blane, dated 28 October 1851, concurred in by the Honourable Mr. Bell; further Minute by the Right honourable the Governor, dated 31 October 1851; further Minute by the Honourable Mr. Blane, dated 2 November 1851, concurred in by the Honourable Mr. Bell; further Minute by the Right honourable the Governor, dated 10 November 1851, concurred in by the Board; further Minute by the Right honourable the Governor, dated 15 November 1851, concurred in by the Board; further Minute by the Right honourable the Governor, dated 8 December 1851; further Minute by the Honourable Mr. Blane, dated 10 December 1851, concurred in by the Honourable Mr. Bell; further Minute by the Right honourable the Governor, dated 6 January 1852, concurred in by the Board; further Minute by the Right honourable the Governor, dated 9 December 1851, concurred in by the Board; further Minute by the Right honourable the Governor, dated 15 January 1852; further Minute by the Honourable Mr. Blane, dated 16 January 1852, concurred in by the Board; further Minute by the Right honourable the Governor, dated 7 December 1851; further Minute by the Honourable Mr. Blane, dated 7 December 1851, concurred in by the Honourable Mr. Bell; further Minute by the Right honourable the Governor, dated 15 January 1852; further Minute by the Honourable Mr. Blane, dated 17 January 1852; further Minute by the Honourable Mr. Bell, dated 17 January 1852, concurred in by the Right honourable the Governor; further Minute by the Right honourable the Governor, dated 15 January 1852, concurred in by the Board; further Minute by the Right honourable the Governor, dated 20 January 1852, concurred in by the Board.

3. From the proceedings which form Collection No. 2, your Honourable Court will observe that, in consequence of there being strong grounds for believing that a junior assistant in the political and secret departments of the secretariat, named Daniel Marston, has been one of the sources alluded to by Lieutenant-colonel Outram, through which information from the records of Government has been communicated to Baroda, we have ordered his dismissal from his situation, and declared him incapable of re-employment under Government.

We have, &c.
(signed) *Falkland.*
J. Grey.
D. A. Blane.
Bombay Castle, 3 February 1852. *A. Bell.*

Political Department, 17 February (No. 19) 1852.

To the Honourable the Court of Directors, &c.

Honourable Sirs,

As connected with the 3d to 6th paragraphs of our despatch dated the 31st January, No. 5 of 1849, and your Honourable Court's reply thereto, quoted in the margin,* dated the 28th November, No. 35 of 1849, we have the honour herewith to submit an extract from our proceedings on the subject of various charges of misconduct which, subsequent to the above dates, have been preferred by Lieutenant-colonel Outram, C.B., late Resident at Baroda, against Nursoo Luxmon, late native agent to the Baroda Residency, who, as reported in the 11th paragraph of our political despatch, dated the 30th September, No. 83 of 1850, vacated that situation on the 22d May preceding, consequent on his being appointed dufterdar of the Ahmedabad collectorate.

* *See* below.

2. In a letter dated the 7th September 1850, Lieutenant-colonel Outram forwarded to Government, for such notice as they might be deemed to deserve, translations of depositions on oath, which a few days previously had been made before him by a person named Jairam Hybutrow,† and by four other individuals, who he had informed that officer could verify his statements, containing several charges against Nursoo Luxmon of fraudulent and corrupt conduct, alleged to have been committed by that individual during the period he had held the appointment of native agent to the Resident at Baroda. For reasons mentioned in our Right honourable President's minute (concurred in by the Board) dated the 11th October 1850, copy of which forms enclosure No. 17 to Collection No. 1 accompanying this despatch (and to which we beg to refer), Lieutenant-colonel Outram was informed that we deemed it unnecessary to adopt any further steps with reference to these allegations.

3. As connected with his report‡ dated the 30th July 1850, on the subject of the pecuniary disputes between the banking firm of Hurree Bhugtee, of Baroda, and Govind Rao Gaekwar, Lieutenant-colonel Outram, in a letter dated 7th September, remonstrated against the decision§ of Government, which, during his absence on sick leave in Egypt, had been communicated to his *locum tenens*, Captain

---

* Lieutenant-colonel Outram was of opinion that in the case (of Gorajee Pol), last adverted to, and also in that of Govind Rao Gaekwar, the native agent (Nursoo Luximon) had, by the suppression of facts, justified a suspicion of culpable collusion with some of the parties concerned; your Government, after a searching analysis of the conduct of Nursoo Punt in both these instances, have, we observe, unanimously and entirely acquitted him of the imputed misconduct.

† This individual, as reported in the 6th para. of our political despatch, dated 10 May, No. 65, of 1847, while holding the appointment of Thanadar of Jambooghoora, in the Rewa Kanta, was, by order of Government on 30 April 1847, dismissed from his situation, and as reported in the 65th para. of our further despatch dated 31 August, No. 130 of 1848, he was, on the 23d February 1848, under the instructions contained in the 15th para. of your Honourable Court's letter to this Government, dated 18 September, No. 24 of 1847, declared incapable of being re-admitted to the service of Government in any capacity whatever.

‡ Copy of which formed enclosure No. 5 to Collection No. 11, accompanying our political despatch to your Honourable Court, dated 17 September, No. 70 of 1851.

§ *Vide* Collection No. 2, accompanying political despatch from the Bombay Government, dated 31 January 1849, No. 5.

Captain French, on the 4th January 1849, authorizing him, for the reasons therein stated, and under certain circumstances, to give Nursoo Luxmon the option of withdrawing the application he had preferred on the 9th September 1848, for permission to retire from the public service on a superannuation pension. In the same letter Lieutenant-colonel Outram appealed against the decision (contained in the Government letter of the 12th January 1849,* to the address of Captain French) on the allegation of corrupt conduct, which had been advanced by Lieutenant-colonel Outram against Nursoo Luxmon, in the cases of Gorajee Pol and Govind Rao Gaekwar. For our sentiments upon this communication, we beg to refer to the minutes recorded by our Right honourable President, on the 15th November (concurred in by his Excellency the late Commander-in-Chief), and 24th December 1850, concurred in by the Board, and by the Honourable Mr. Willoughby and the Honourable Mr. Blane, dated the 21st and 25th November 1850.

4. On the 10th April last, Lieutenant-colonel Outram submitted to Government a voluminous paper intituled, "A Statement of Facts relating to Nursoo Punt, late native agent of the Baroda residency, and now dufturdar at Ahmedabad, illustrative of that individual's character, and of the part taken by him in strengthening the popular belief in the corruptibility of high officials." In this statement, and in reply to a reference made to him by Government connected therewith, Lieutenant-colonel Outram preferred various charges of fraudulent and corrupt conduct against Nursoo Luxmon.

5. Having taken this "Statement" into our consideration, we, on the 16th May last, appointed Mr. W. E. Frere, of the Bombay civil service, who previously had been totally unconnected with the affairs of the Baroda State, a Commissioner under the provisions of Act XXXVII † of 1850, to inquire into the truth of the charges preferred by Lieutenant-colonel Outram against Nursoo Luxmon. Mr. Frere opened his proceedings (at Baroda) on the 16th June last, in the presence of Nursoo Luxmon, and finally closed the investigation on the 22d October last.

† Being an Act "for regulating inquiries into the behaviour of public servants."

6. On the most careful consideration of the evidence in support of his charges against Nursoo Luxmon, adduced by Lieutenant-colonel Outram before the Commissioner, of the facts urged by Nursoo Luxmon in his defence, and the arguments and opinions recorded by the Commissioner in his finding upon each charge, we have, for the reasons mentioned in the minutes recorded by our Right honourable President, and by the civil members of our Board, under the dates noted in the margin,‡ informed the Resident at Baroda that the following is our decision upon each of the charges investigated by Mr. Frere.

‡ *See* below.

1st. That Nursoo Punt is acquitted on all the counts of charge No. 1, as worded by the prosecutor, though, from the finding of the Commissioner, it would appear that had the charge been made to include the misleading of Colonel Outram himself, his (Nursoo Punt's) entire exoneration on this head might not have resulted.

2d. That Nursoo Punt is guilty of charge II.

3d. That Nursoo Punt is acquitted of charge III, but that his conduct with reference to circumstances connected with this charge is open to animadversion.

4th. That the evidence is insufficient to convict Nursoo Punt upon charges

* Copy of which formed enclosure No. 4 to Collection No. 1, accompanying the political despatch from this Government, alluded to in the preceding note.

‡ Minute by the Right honourable the Governor, dated 10 November 1851; Minute by the Honourable Mr. Blane, dated 12 November 1851; further Minute by the Right honourable the Governor, dated 6 December 1851; further Minute by the Honourable Mr. Blane, dated 8 December 1851; Minute by the Honourable Mr. Bell, dated 12 December 1851; further Minute by the Right honourable the Governor, dated 16 December 1851; further Minute by the Honourable Mr. Blane, dated 16 December 1851; further Minute by the Right honourable the Governor, dated 18 December 1851, concurred in by the Honourable Mr. Blane; further Minute by the Honourable Mr. Bell, dated 19 December 1851; further Minute by the Right honourable the Governor, dated 19 December 1851, concurred in by the Board; further Minute by the Right honourable the Governor, dated 5 January 1852, concurred in by his Excellency the Commander-in-Chief; further Minute by the Honourable Mr. Blane, dated 6 January 1852; further Minute by the Honourable Mr. Bell, dated 6 January 1852; further Minute by the Right honourable the Governor, dated 13 January 1852.

charges IV and V, but that considerable suspicion attaches to him upon both these charges.

5th. That there is nothing in the proceedings to implicate the character of Nursoo Punt, with reference to charge VI.

6th. That the alleged misuse by Nursoo Punt of Mr. Reid's name, embraced in charge VII, has not been established.

7. Nursoo Punt having, by his conviction to this extent, been pronounced guilty of a betrayal of his official trust in the instance therein specified, as the head native servant of the Baroda residency, we have issued orders for his removal from his situation of dufterdar to the Collector of Ahmedabad, at the same time informing that officer that Nursoo Punt will be considered ineligible for re-employment under Government.

8. For our sentiments relative to the terms in which Lieutenant-colonel Outram, in his "Statement of Facts" (referred to in para. 4 of this despatch), has alluded to Mr. Reid, late member of Council at this Presidency, we beg to draw attention to a minute* recorded by our Right honourable President, under date the 14th instant, concurred in by the civil members of our Board.

* Copy of which forms Enclosure No. 3 to Collection No. 3 accompanying this despatch.

We have, &c.
(signed) *Falkland.*
D. A. Blane.
A. Bell.

Bombay Castle, 17 February 1852.

Political Department.—No. 27 of 1852.

To the Honourable the Court of Directors, &c.

Honourable Sirs,

In the third paragraph of our despatch, dated the 3d ultimo, No. 15 of 1852, we reported the circumstances under which Mr. Daniel Marston, a junior assistant in the Political and Secret Departments of the Secretariat, had been dismissed from his situation, and declared incapable of re-employment under Government. We now beg to forward an original memorial from that individual to the address of your Honourable Court, appealing against this proceeding, and to state that we see no grounds for re-opening this case.

We have, &c.
(signed) *Falkland.*
D. A. Blane.
A. Bell.

Bombay Castle, 4 March 1852.

Political Department, 3 April (No. 37) 1852.

To the Honourable the Court of Directors, &c.

Honourable Sirs,

1. In our despatch dated 17th February last, No. 19, we reported to your Honourable Court the result of the investigation instituted by order of Government between the months of June and October 1851, by Mr. W. E. Frere, as special Commissioner, into seven charges of fraudulent and corrupt conduct preferred by Lieutenant-colonel Outram, C.B., late Resident at Baroda, against Nursoo Luxmon, alleged to have been committed by that individual during the period he formerly held the appointment of native agent to the Baroda residency.

2. As connected with case No. VII. of the above charges,† we have the honour to forward an extract from our proceedings on the subject of certain intrigues in connexion with affairs at Baroda, alleged to have been carried on in Bombay during the year 1848, and the early part of 1849, through the medium of agents employed by Baba Nafra, manager of the banking firm of Hurree Bhugtee, of Baroda.

3. Amongst

† That at various times between 12 September 1848 and 1 May 1850, Nursoo Luxmon made an improper and unauthorized use of the name of the Honourable Mr. Reid, late member of Council at Bombay, and encouraged the belief at Baroda that he enjoyed the support and confidence of that gentleman.

3. Amongst our proceedings will be found copy of a summary prepared in the office of our Chief Secretary in the month of August last, which contains an outline of the facts of this case, as far as the same had been then elicited.

4. Amongst other parties in Bombay alleged to have been implicated in, or cognizant of these intrigues at the time of their occurrence, the names of several individuals in the uncovenanted service of Government were mentioned. We accordingly, on the 7th January last, appointed the gentlemen mentioned in the margin,* a Committee to inquire into this matter.

* *See* below.

5. A copy of the proceedings and of the accompanying report of the Committee of the result of their investigation into these cases is forwarded in Collection No. 2, accompanying this despatch. For our sentiments on this report, we beg to refer to the minutes recorded thereon by our Right honourable President and the civil members of the Board.

6. Your Honourable Court will observe, that these proceedings are not complete, inasmuch as we have not yet determined upon the measures which we should adopt on the report of the secretaries; but as the papers contain much information which may be of value in considering the subject of our recent communications relative to affairs at Baroda, we transmit them in their present state without delay.

7. We have further the honour on this occasion to forward, in Collection No. 3, copies of two minutes, dated the 17th ultimo, and the 1st instant, the former recorded by our Right honourable President, concurred in by the Honourable Mr. Bell, and the latter by the Honourable Mr. Warden, on the subject of the explanation submitted by our Chief Secretary in his memorandum of the 22d January last (copy of which formed Enclosure No. 2 to Collection No. 3, accompanying our despatch to your Honourable Court, dated the 17th February last, No. 19) on those portions of the accompaniment to Colonel Outram's letter of the 10th April, intituled, "A Statement of Facts relating to Nursoo Punt, late native agent of the Baroda residency," which have reference to the chief secretary's office, or of which he possesses any personal knowledge.

We have, &c.

(signed) *A. Bell.*
John Warden.

Bombay Castle, 3 April 1852.

Political Department, 23 June (No. 19) 1852.

Our Governor in Council at Bombay.

Para. 1. We now reply to your political letters enumerated in the margin on Baroda subjects.

Political Letters, dated 17 January (No. 5) 1852; 17 January (No. 6) 1852; 3 February (No. 15) 1852; 17 February (No. 19) 1852; 4 March (No. 27) 1852; 3 April (No. 37) 1852.

Answer to Political Letter, dated 17th January (No. 5) 1852.†

2. You very properly intimated to the Guicowar that the British Government never takes notice of paragraphs in the newspapers commenting on its own measures, and that it recommends to his Highness a similar line of conduct, but that "if at any time anything should appear in the newspapers, the nature of which will, according to British laws, admit of notice of it being taken, the same aid from the law officers of Government will then be made available to his Highness, should he wish it, as would under similar circumstances be received from them by Government itself."

Answer

* 1. Mr. A. Malet, Chief Secretary to Government; 2. Mr. H. E. Goldsmid,‡ Secretary to Government in the Revenue and Financial Departments; 3. Lieutenant-colonel P. M. Melvill, Secretary to Government in the Military and Marine Departments; 4. Mr. A. St. John Richardson, Deputy Secretary to Government.

† Complaint by the Guicowar respecting two editorial articles published in the "Bombay Telegraph and Courier" Newspaper, of 29th and 30th October 1851.

‡ Mr. J. G. Lumsden, Secretary to Government in the General and Judicial Departments, was at this period absent from Bombay.

Answer to Political Letter, dated 17th January (No. 6) 1852.*

3. This charge had from the beginning an extremely suspicious appearance in consequence of its not having been preferred until more than nine years after the date assigned to the alleged transactions, although during the greater part of the intervening period Baba Phurkey was not in the service of Government, and therefore had not the influence or protection which such employment might be supposed to give. An investigation was commenced by the late Major Brown, and completed by Captain Fulljames; but the evidence for the charge, both oral and documentary, was worthless, and you have in consequence fully acquitted the accused.

Answer to Political Letter dated 3 February (No. 15) 1852, and to Political Letter dated 4 March (No. 27) 1852.†

4. Lieutenant-colonel Outram, having reason to believe that the deliberations and intentions of your Government were made known to the Guicowar's Durbar even before official information of them reached the British Resident, "had long sought in vain," as he observed in his letter dated 13 October 1851, "to ascertain the channel through which the information is conveyed to Baroda." At length having had anonymous information from Bombay, implicating Wamunrow Dhondoo Satteh (carbaree of the late Bheemashunkur Shastree) and his brother Dhajee Dondoo Satteh, at Bombay, he ordered the clerk at the Baroda post-office to detain all the letters brought from Bombay which were addressed to Wamunrow Satteh, and to certain other persons under cover, to whom Wamun Row was known to have received letters; and also all letters sent to the post-office by Wamun Row, or by Narrain Row, lately a carkoon in the residency office. Then sending for the persons to whom the packets were directed, and for Narrain Row, he required them to open the letters in his presence.

5. It was found that the letters thus opened contained, to use the words of Lieutenant-colonel Outram, "not merely the purport and even transcript of Government despatches, but detailed accounts of the deliberations of Government, and even transcripts of the minutes of each member of Government."

6. Among the very few persons who had access to the information thus betrayed, was Mr. Daniel Marston, a junior clerk in the secretary's office. Circumstances calculated to excite suspicion having been observed with respect to him, he was examined, and the result of his interrogation by Mr. Malet, combined with a written paper found in his possession, appeared to you to afford such evidence against him as induced you not only to dismiss him from his situation, but to prohibit his re-employment in the service of Government.

7. The paper in question, combined with Mr. Marston's admissions, proved some connexion on his part with Dhajee Dandoo Satteh, the agent through whom the information was sent to Baroda, as well as with Bappoojee Khametkur, one of the writers of the intercepted letters, and with Raojee Bhaskur, a man formerly dismissed from the public service for malpractices, and receiving a pension from the Guicowar. The paper itself is a receipt for 30 rupees, paid by Raojee Bhaskur on account of Mr. Marston, as an instalment of a debt due to Bapoojee Gapal, and is signed on Bapoojee's behalf by Dajee Dhandeo Satee. Mr. Marston admits an acquaintance with Raojee and Bapoojee, and a loan of money from the latter, but denies any acquaintance with Dajee. The case is altogether one of such strong suspicion, and the misconduct of a character so injurious to the public interest, that we approve of your having not only dismissed Mr. Marston from the secretary's office, but declared him excluded from the service of Government.

8. To

* Proceedings on a charge of bribery preferred against Venaik Moreshwur Baba Phurkey by Sahiba, widow of the late Thakoor Jellimsingjee, of Bhaderwa.

† Communications from Lieutenant-colonel Outram, bringing to the notice of Government the fact that copies of official documents had been illicitly obtained by persons alleged to be employed by Bhow Tambekur, minister of the Guicowar, and proceedings in consequence.

8. To return to the subject of the intercepted letters; one of them contained allusions to intrigues carried on at Bombay by agents of the Guicowar's minister, for the purpose of obtaining, by the expenditure of money, the abolition of the Guzerat Horse. On this subject Lieutenant-colonel Outram questioned Govind Row Roria, lately vakeel of the Guicowar at Bombay, who at first gave no information of any value, but subsequently sent a verbal message to Lieutenant-colonel Outram, intimating "that he will make a full disclosure, and furnish irrefragable proofs of the truth of what he has to disclose," provided the Resident would give a pledge that he should "be preserved from persecution in consequence thereof." Lieutenant-colonel Outram accordingly solicited from your Government authority to give this assurance. That authority, however, was refused, on the ground that "neither the data on which Government should proceed, nor the results that would arise from its proceedings," were "sufficiently apparent." We cannot approve of your having thus arrested *in limine* an inquiry which might have furnished a clue for the detection of malpractices of the existence of which there is no doubt. It would have been easy to make the pledge of safety to Govind Row conditional, on its being found that his information was both correct and of substantial value.

9. Lieutenant-colonel Outram afterwards sent to your Government some further correspondence which had "fallen into" his "hands under circumstances hereafter to be reported" (but of which we can find no report), together with some oral evidence taken by him connected with the same intrigues; and pointed out various measures to be taken at Bombay for throwing further light on the subject; which, however, you did not think fit to take, on account of the vague nature of the evidence. On this we must remark, that the evidence might not have been vague had you received, instead of rejecting, Govind Row's tender of information. We must add, that the letters were acknowledged by the banker Nurbhegram, by and to whom they purported to be written, though he attempted, very unsuccessfully, to explain away their purport; and they distinctly proved that, in behalf of the minister, he directed his nephew, Booria, at Bombay, to "make a pucka arrangement" with Lieutenant-colonel Outram on his arrival from Egypt; although when Booria proposed that 50,000 rupees should be paid to Lieutenant-colonel Outram, and 10,000 rupees to one Succaram, to be given to Mr. A. Malet, Nurbegram refused to pay any money until the service was rendered, being willing, however, to give a written promise of payment. We cannot agree in the opinion expressed in your President's minute of 15 January 1852, that these are "obscure indications," containing "nothing that is tangible or susceptible of being followed out to any result." We think that they were amply sufficient to justify and require a further investigation. Even if no additional light could have been obtained, there was already sufficient ground for a strong representation to the Guicowar of the unworthiness, as well as the inutility to his interests, of such discreditable attempts to corrupt high functionaries of Government. This representation was the more urgently called for, as the Guicowar endeavoured to thwart Lieutenant-colonel Outram's attempts to throw further light on the case by refusing, on frivolous pretexts, to send several persons to the residency, whom that officer, in the course of his investigations, desired to examine. Lieutenant-colonel Outram had an interview with the Guicowar on the 27th November, on which occasion his Highness disavowed all knowledge of the intrigues imputed to his minister, and appeared duly impressed by Lieutenant-colonel Outram's remonstrances; but intelligence having been received on the same day of Lieutenant-colonel Outram's removal from office, the Guicowar, instead of sending the witnesses required by that officer, addressed a remonstrance to Government against his proceedings.

10. We approve your having replied to the Guicowar to the effect that, Lieutenant-colonel Outram's proceedings, remonstrated against by his Highness, "appear to have been merely a request for the attendance of certain parties at the residency, for the purpose of inquiry, and that Government trusts that no deviation from the usual courtesy in promptly complying with such requests will ever be permitted by his Highness to occur." We wish to be informed what answer was made by the Guicowar, or what proceedings adopted by him, in consequence of this intimation; and we trust that the investigation has been continued by the present Resident, Mr. Davies, and that nothing on your part will be omitted to make it effectual.

Answer to Political Letter, dated 17 February (No. 19) 1852.*

11. These charges, seven in number, have been investigated by Mr. W. E. Frere, as a special Commissioner, under Act XXXVII. of 1850, Lieutenant-colonel Outram acting as prosecutor.

12. Nursoo Punt has been fully convicted on one of the charges, and partially by the Commissioner on another; in the latter opinion, however, you did not agree with Mr. Frere. But much blame, or grave suspicion, has been declared by Mr. Frere to attach to Nursoo Punt in respect to all the charges.

13. The charge on which he has been found guilty is the second, that of purposely withholding important information from the Resident, in respect to the dispute between the firm of Hurree Bhugtee and Govind Row Guicowar. This, it is to be observed, was one of the two cases in which Nursoo Punt's conduct had been impugned by Lieutenant-colonel Outram before his journey to Egypt, but in which he was at that time acquitted by Government.

14. By the first charge, Nursoo Punt was accused of withholding correct, and furnishing erroneous, information, to his official superior, Captain French, in four important instances connected with the case of Joitabaee Seetanee. The Commissioner considered it proved that Nursoo Punt had, in one instance, intentionally misled his official superior, but that that official superior was Lieutenant-colonel Outram, and not Captain French, wherefore the deception practised could not be made the ground of a verdict of guilty under this indictment. With respect to the other instances of the first charge, Nursoo Punt was acquitted because Captain French deposed that he had acted, not on Nursoo Punt's communications, whatever they might have been, but on his own deliberate judgment, formed after receiving information from various sources. It is certain that Captain French did not obtain an accurate knowledge of the facts of the case, and that consequently he misled the Government, and enabled the persecutors of Joitabaee to commit gross injustice; and if his assumption of the whole responsibility could be held to acquit Nursoo Punt, it must do so by throwing the whole weight of blame on Captain French. It is, however, evident, that having only just arrived at Baroda, Captain French was in a great measure dependent for his information and impressions on others, and particularly on his native agent; and even on the supposition that Captain French, acting on his own judgment, adopted a wrong view of important matters of fact, it was the duty of Nursoo Punt, himself perfectly acquainted with the case, to represent the true state of it to his superior. Instead of doing this, there is ample ground of moral conviction that he misinformed Captain French, as he has been clearly proved to have misinformed Lieutenant-colonel Outram.

15. On the sixth charge, that of having advised Baba Nafra to send an agent to Bombay for the purpose of endeavouring to corrupt Mr. Reid, the Commissioner found Nursoo Punt guilty of having been cognizant of (though not proved to have advised) the mission of an agent of Baba Nafra to Bombay for corrupt purposes, but not specifically for the corrupt purpose mentioned. We agree with you in deeming even this degree of criminality not proved against Nursoo Punt, though very strong suspicions rest on him with regard to the mission in question; as well as in regard to the third charge of withholding information in the case of Gorajee Pol, on which he was acquitted by the Commissioner, though considered culpable for the delay which occurred before the information was given.

16. On the seventh charge, Mr. Frere considered it proved that Nursoo Punt had, on more than one occasion, made an improper use of Mr. Reid's name, but it is not shown that he did more than boast in general terms of the protection of that gentleman.

17. The fourth and fifth are direct charges of having received bribes; and although the Commissioner did not consider either of them as judicially substantiated against Nursoo Punt, he gave his opinion that the strongest suspicion rested on him in respect of both; an opinion in which we entirely agree.

18. Taking

* Proceedings on charges preferred by Lieutenant-colonel Outram against Nursoo Luxmun, late native agent to the Baroda residency.

18. Taking into consideration all the circumstances of the case, we approve your having dismissed Nursoo Punt from his office of dufterdar at Ahmedabad, and declared him ineligible for employment in the service of Government. You have, however, left him in possession of the enam village, conferred on him as the reward of former service.

19. We desire that you will reconsider this point, as it seems inconsistent that a person should be declared ineligible for the public service because he cannot be trusted, and yet should hold so conspicuous a mark of the favour of Government as an enam for three lives.

Answer to Political Letter, dated 3 April (No. 37) 1852.*

20. In the course of Lieutenant-colonel Outram's inquiries concerning the Joitabaee case, he took the evidence of Joteshwur, an agent sent by Baba Nafra to Bombay, from which it appeared that a person named Craig, at that time confidentially employed in the office of the Secretary in the Secret and Political Departments, had received from him (Joteshwur) 2,200 rupees for himself, and 10,000 rupees on pretence of a bribe to Mr. Reid. Ragoba Moroba, a clerk in the Military Pay Office, being involved as a party concerned, Captain Barr, the Military Paymaster, was authorized to give a promise of impunity to Ragoba on condition of his making a full disclosure. No inquiry appears to have been made as to the assistance which Ragoba in the capacity of a Government clerk was to give to the machinations of the conspirators. His statements, however, implicated Mr. Cole, an assistant in the office of the military accountant, as having received valuable presents from the son of Baba Nafra, and on the 1st of November 1850, Captain Barr was, at his own suggestion, permitted to make the same conditional offer of pardon to Mr. Cole, which had been made to Ragoba. Lieutenant-colonel Outram was not informed either by Government or by Captain Barr of the authority thus given to the latter officer, and Captain Barr made no use of the authority, but, without any intimation to Government, gave up the inquiry on learning (as he has since stated) that the papers connected with the case were under charge of Mr. G. Smith, an assistant in the office of Chief Secretary, and a brother-in-law of Mr. Craig. Captain Barr alleges that he had a strong suspicion that Mr. Smith was implicated in the illicit transactions, and was of opinion that that individual, through his knowledge of the papers, would be able to frustrate any further inquiry. The reason thus assigned by Captain Barr for discontinuing the inquiry, ought rather to have been an additional motive for pressing it with redoubled vigour. We consider Captain Barr to have failed in his duty by dropping the investigation, and to have greatly erred, by keeping Government uninformed of his having done so.

21. Your attention was not again directed to the subject until July 1851, and after some further communication with Lieutenant-colonel Outram and Captain Barr, you, in January 1852, appointed a commission consisting of the three civil secretaries to Government, and Mr. Richardson, deputy secretary, to inquire and report on these transactions. The Report of the Commission is now before us.

22. Mr. Craig, who, if the statements made are correct, was the principal culprit, left Bombay for Calcutta on leave of absence, soon after the date of his alleged offence, and not having returned, was struck off the establishment. He is stated to have been since residing at Chandernagore. The testimony to his having received the 12,200 rupees is direct and positive; and though, as Mr. Acland said, he could not with any good effect be indicted for a conspiracy to bribe a member of Government (an offence which there is not the slightest proof of his having attempted), he is evidently liable to a prosecution for obtaining money on false pretences. We expect that you will not neglect any means you may possess of bringing this individual to justice.

23. With respect to Mr. Smith and Mr. Cole, the evidences of Ragoba before the

* Inquiries respecting corrupt intrigues carried on at Bombay in 1848-49, by one Joteshwur Echaram, an agent of Baba Nafra.

the Commission went to exculpate them. Mr. Smith, though connected by marriage with Mr. Craig, was known to be on bad terms with him. Mr. Smith, however, admitted that natives came to Mr. Craig when living in his (Mr. Smith's) house, for the purpose of employing him to draw up petitions connected, as Mr. Smith believed, with Baroda affairs, and that at one time Mr. Craig had a considerable sum of money ("to the best of my recollection, about 2,000 rupees,") which he had received for services of this description. Mr. Smith stated, that "he had no reason to suppose that 2,000 rupees was an extravagant sum to pay for writing petitions on cases favourably decided; for although he himself has never been engaged in such matters, he had always understood that large sums were paid, especially when large interests were involved, and favourable answers were obtained." Mr. Smith is thus self-convicted of conniving at a most dangerous and improper practice, which, as observed by the Commissioners, had been "interdicted in general terms by the notification of 30th September 1843," and has since been directly prohibited "by that of 20th June 1851." You left it to Mr. Malet to decide whether, in such circumstances, he could retain Mr. Smith in his office. From a subsequent minute of your Board, it appears that Mr. Malet "has intimated to Mr. Smith, that he must seek employment in some other office."

24. With regard to Mr. Cole, the Commission came to the conclusion, that the presents which he received were "shown to have been given as fees for service, in connexion with legal proceedings," and received by him in the character of a "confidential clerk" to Mr. Howard; and your President, in his minute of 17th March, subscribed by Mr. Bell, proposed, that the displeasure of Government should be intimated to Mr. Cole, at his having held the latter appointment simultaneously with his office under Government, and that he should be required to resign the one or the other. It appears to have been overlooked, both by the Commission, and by the members of your Government, that Mr. Cole, while alleging that he informed Baba Nafra's agent that he would not meddle with political matters, qualified the statement by adding, "except drawing out petitions and memorials for him;" and admitted that "petitions, &c. for the relief of Baba Nafra were drawn up by him" (Mr. Cole), "corrected by Mr. Howard, and sent in" to Government" by the nephew of Baba Nafra; Mr. Cole had thus actually done that which Mr. Smith was so deservedly reprobated for conniving at in Mr. Craig.

25. Your final determination on all the cases has been postponed until Mr. Blane's return. As at present informed, we are of opinion, that neither Mr. Smith nor Mr. Cole ought to remain in the service of Government.

26. The malpractices which it has been our painful duty to notice among the subordinate functionaries in the Government offices at your Presidency, have been continued through so many years, and are of a character so injurious both to the public interests and to the reputation of the British Government, that you ought not to shrink from the exercise of any severity which may be necessary for their entire suppression. Prosecution in a criminal court should be had recourse to when legal evidence can be obtained; in any case, all persons either directly or indirectly concerned in the corrupt receipt of money, or in divulging the secrets of Government, or in the clandestine communication of official documents, or being even cognizant of such practices without bringing them to the notice of their superiors, should be dismissed from office, and their employment in any department of the public service strictly interdicted.

27. In cases where it may not be possible to fix the breach of trust upon a particular individual, but where it may be ascertained that it has been committed in some branch of a department, reluctant as we should be to inflict injury on any who may be innocent, we should feel it our duty to dispense with the services of the whole body rather than fail to reach the treacherous and corrupt members of it.

28. We observe that it was stated by Ragoba to the Committee of Secretaries, that a report had reached the ears of Captain Barr, to the effect that Captain Macdonald, of the 22d regiment, on your establishment, had received 1,400 rupees of the money sent to Bombay from the firm of Hurree Bhugtee, for the purpose of inducing him to use his influence with Colonel Outram; Ragoba, however, contradicted

tradicted the report, and said that the money received by Captain Macdonald was money which, though obtained from the agent of Baba Nafra, was raised by pledging his (Ragoba's) jewels, and was lent to Captain Macdonald as belonging to Ragoba himself. You do not seem to have attached any importance to this rumour. But we are so solicitous concerning the character and conduct of our servants in India, and so jealous of every imputation that may, directly or indirectly, be cast upon them, that we think it desirable that you should call on Captain Macdonald and on Captain Barr for further explanations; and, if necessary, institute an inquiry into the facts of the case.

29. We are compelled to add, that the result of these investigations, disclosing so much laxity in the management of a public office, and such instances of corruption among the subordinates employed in it, has made an unfavourable impression upon us with respect to the general vigilance exercised by the heads of the department. The fidelity and honour of these gentlemen have not been impeached, but as they are responsible not only for the careful selection of their uncovenanted assistants, but also for a careful superintendence of the official conduct of the persons so selected, we cannot hold them blameless for the irregularities which have prevailed.

We are, &c.
(signed) *J. W. Hogg.*
&c. &c.

London,
23 June 1852.

No. 89 of 1851.—Political Department.

To the Honourable the Court of Directors for Affairs of the Honourable East India Company, London.

Honourable Sirs,

1. In the 8th and 9th paras. of our despatch, dated the 17th September last, No. 69 of 1851, we informed your Honourable Court that, for reasons therein explained, we had caused a circular, to the effect quoted in the margin,* to be issued to the heads of the several departments in the Political, Revenue and Judicial branches of the service; and that we had received replies (copies of which we at the same time communicated to your Honourable Court), from all the authorities to whom this circular had been addressed, with the exception of Lieutenant-colonel Outram, C.B., Resident at Baroda, and Mr. Elphinstone, the Collector and magistrate of Khandeish.

* *See* below.

2. We, at the same time, forwarded copy of a letter from Lieutenant-colonel Outram, dated the 14th April last, in which that officer explained the causes which had operated to delay his compliance with our instructions.

3. We now beg to report that, on the 31st October last, Lieutenant-colonel Outram submitted to Government a voluminous paper, entitled "Khutput Report,"

---

* Circular.—"Government has been led to believe, that an impression prevails in some parts of the Mofussil, that by means of intrigues at the Presidency, the arrangements of the local officers can often be defeated or superseded, by the parties interested secretly obtaining the friendship of persons in power, who it is expected will, irrespective of right or wrong, interest themselves for the party soliciting their favour, and that by these means objects are attainable, which, if left to be sifted, and reported on in a deliberate and regular manner, could never be secured.

"This species of intriguing is termed in the Muratha and Canarese districts, 'making Khutput, in Bombay,' and is stated to be regarded as a remedy under difficulties of whatever kind. It is even held to be considered as effectual in obtaining the restoration to place of official servants, who for incapacity or dishonesty have been discharged from the Government service, and to be even capable of effecting the release from gaol of a convicted criminal.

"A belief in the existence of a system of this nature is calculated greatly to embarrass the officers of Government, and to undermine the confidence of the ryots in the justice of the system by which they are governed. I am accordingly directed to request that you will have the goodness to report, after making any inquiries you may deem requisite, whether you have reasons for supposing that any such belief prevails generally, or amongst any particular class of persons within the limits of your charge, and if so, that you will offer any suggestions that may occur to you, as to the best means for eradicating the same."

Report," which we shall take into consideration with those received from the rest of our officers as soon as possible, when the result of our deliberation shall be submitted to your Honourable Court.

4. This report was accompanied by a transmitting letter, dated 31st October 1851, and herewith submitted, so extraordinary in its style and tenor as to call for immediate and serious notice.

5. Your Honourable Court will perceive that Lieutenant-colonel Outram has placed himself in a position of defiance to, and mistrust of, Government, that he has mistaken the nature of our relations with his Highness the Gaekwar, and is desirous of pursuing a course which would inevitably lead to serious embarrassments with our ally, and, perhaps, to the destruction of that independence in regard to the management of the internal affairs of his Highness' dominions, which it is so great an object to maintain. We are, therefore, of opinion that Lieutenant-colonel Outram can no longer remain as representative of this Government at the court of his Highness the Gaekwar with benefit to the State. We have recorded in the minutes herewith forwarded, our disapprobation of Lieutenant-colonel Outram's conduct, and the reasons by which that disapprobation has been induced, and we have deemed it imperative on us, notwithstanding the strong disinclination, which, in consideration of Lieutenant-colonel Outram's former services, we entertained to such a measure, to require that officer to retire from the post he fills, in the manner least offensive to his own feelings, and least calculated to embarrass Government, or to affect injuriously our amicable relations with his Highness the Gaekwar.

We have, &c.
(signed) *Falkland.*
D. A. Blane.
Bombay Castle, 29 November 1851. *A. Bell.*

No. 4 of 1852.—Political Department.

To the Honourable the Court of Directors, &c.

Honourable Sirs,

In continuation of the concluding paragraph of our despatch dated the 29th November last, No. 89, we beg to inform your Honourable Court, that in a letter dated the 1st ultimo, Lieutenant-colonel Outram, C.B., tendered his resignation of the appointment of Resident at Baroda, from the 15th January 1852, and that we have appointed Mr. J. M. Davies, of the Bombay Civil Service, to succeed him in that office from that date.

We have, &c.
(signed) *Falkland.*
J. Grey.
D. A. Blane.
Bombay Castle, 17 January 1852. *A. Bell.*

No. 12 of 1852.—Political Department.

To the Honourable the Court of Directors for Affairs of the Honourable East India Company, London.

Honourable Sirs,

1. In our despatch, dated the 29th November last, No. 89 of 1851, we informed your Honourable Court that, for the reasons therein mentioned, we considered that Lieutenant-colonel Outram could no longer, with benefit to the State,

State, remain as the representative of the British Government at the Court of his Highness the Gaekwar, and that on the grounds set forth in the minutes of our Board, dated as per margin,* which formed accompaniments, Nos. 2 to 5, to that despatch, we had deemed it our imperative duty, notwithstanding the strong disinclination which, in consideration of Lieutenant-colonel Outram's former services, we entertained to such a measure, to require him to retire from the post of Resident at Baroda, in the manner least offensive to his own feelings, and least calculated to embarrass Government, or to affect injuriously our amicable relations with his Highness the Gaekwar. In our subsequent despatch, dated the 17th ultimo, No. 4, we informed your Honourable Court that Lieutenant-colonel Outram had, consequent on the above intimation, tendered his resignation of the appointment of Resident at Baroda, and that we had appointed Mr. J. M. Davies to succeed him in that office.

* *See* below.

2. We have now the honour to forward copy of a letter from Lieutenant-colonel Outram, dated the 15th December last, tendering a vindication of himself, as that officer remarks, "from the accusations that Government has recorded against him, when intimating to him that he may no longer represent it at Baroda."

3. For our sentiments on this communication, we beg to draw the attention of your Honourable Court to the minutes of our Board, recorded under the dates noted in the margin.† From these minutes your Honourable Court will observe that we consider the arguments adduced by Lieutenant-colonel Outram untenable, his line of reasoning unsound, the conclusions and inferences inconsequential and erroneous, and that his explanations deal for the most part with non-essentials, leaving untouched the grounds on which his removal from the office of Resident at Baroda was based.

† *See* below.

4. In order that your Honourable Court may be enabled with the greater facility to judge of the value to be placed on the reasoning which Lieutenant-colonel Outram has adopted in justification of his proceedings, some of which were animadverted upon in the Government letter addressed to him on the 27th November last, to which his present communication is a reply, we annex a memorandum showing the dates of our despatches, submitting the proceedings of Government on each case in which he has appealed against our decision subsequent to his return‡ from Egypt. We at the same time beg to draw the attention of your Honourable Court to the minutes of our Board recorded in each of the above cases, in order that you may at once perceive the particular circumstances which have led this Government to adopt the line of policy objected to by Lieutenant-colonel Outram.

We have, &c.

(signed) *Falkland.*
J. Grey.
D. A. Blane.
A. Bell.

Bombay Castle, 3 February 1852.

---

* Minute by the Right honourable the Governor, dated 22 November 1851; Minute by the Honourable Mr. Blane, dated 22 November 1851; Minute by the Honourable Mr. Bell, dated 22 November 1851; further Minute by the Right honourable the Governor, dated 23 November 1851, concurred in by the Board.

† Minute by the Right honourable the Governor, dated 26 January 1852; Minute by the Honourable Mr. Blane, dated 27 January 1852; Minute by the Honourable Mr. Bell, dated 27 January 1852; further Minute by the Right honourable the Governor, dated 28 January 1852, concurred in by the civil members of the Board.

‡ Lieutenant-colonel Outram resumed charge of his duties, as Resident at Baroda, on the 8th May 1850.

MEMORANDUM of Letters received from Lieutenant-colonel *Outram*, subsequent to his resuming charge of his Duties as Resident at *Baroda* (on his return from *Egypt*), on the 8th May 1850, in which he has appealed against the Decisions of Government in the Cases therein alluded to.

Letter dated 30th July 1850.	On the subject of the forged bond stated to have been substituted by the banking firm of Hurree Bhugtee of Baroda, in support of the pecuniary claims of that firm against Govind Rao Gaekwar.	A copy of this letter was forwarded to the Honourable the Court of Directors, in Collection No. 11, accompanying political despatch from this Government, dated the 17th September last, No. 70 of 1851; and the Minutes of the Right honourable the Governor, and civil members of the Board thereon, formed enclosures Nos. 6 to 9 to that Collection.
Letters dated 18th April and 22d June 1850.	On the subject of acts of oppression alleged to have been exercised by the Baroda Durbar against Venayek Mareshwur Phurkey, and soliciting the revocation of "the unjust decision of Government," declining to interfere in the case.	Copy of this letter was forwarded to the Honourable the Court of Directors, with political despatch dated the 1st October, No. 85 of 1850; and the copies of the Minutes of the Right honourable the Governor, and of the civil members of Government thereon, formed enclosures Nos. 3 and 6 to 8 to that despatch.
Letters dated 24th June, 11th and 31st July 1850, and subsequent correspondence.	On the case of Joetabhaee Setanee	The whole of the proceedings of this Government on this subject were reported to the Honourable the Court of Directors in political despatch, dated the 3d December, No. 91 of 1851, and copies of the whole of the Minutes of Government in this case accompanied that despatch.
Letter dated 7th September 1850.	In this letter Lieutenant-colonel Outram, remonstrating against the decision of Government, which, during his absence on sick leave in Egypt, had been communicated to his *locum tenens* Captain French, on the 4th January 1849, authorising him, for the reasons therein stated, to give Nursoo Luxmon the option of withdrawing the application he had preferred on the 9th September 1848, for permission to retire from the public service on a superannuation pension. Also appealing against the decision contained in the Government letter of the 12th January 1849, to the address of Captain French, on the allegation of corrupt conduct, which had been advanced by Lieutenant-colonel Outram against Nursoo Luxmon, in the cases of Gorajee Pol and Govind Rao Gaekwar.	Copies of this letter, and of the Minutes of the Board thereon, will be forwarded to the Honourable the Court of Directors, by the next overland mail (on the 17th instant).
Letter dated 16th December 1850.	On the subject of a correspondence between Lieutenant-colonel Outram and the late Mr. Andrews, of the Bombay Civil Service, respecting an entry in some private papers of Baba Nafra, manager of the banking firm of Hurree Bhugtee, of Baroda.	These proceedings were reported to the Honourable the Court of Directors, in political despatch dated the 26th November, No. 88 of 1851; and copies of the Minutes recorded by the Right honourable the Governor, and the civil members of the Board, in this case formed accompaniments, Nos. 2 to 9, to that despatch.

Letter

Letter dated 31st March 1851.	In continuation of his remonstrance against the Government decision in the case of Nursoo Punt, late native agent to the Baroda residency, prefers numerous charges of bribery and corruption against that individual.	Copy of this letter, and of the whole of the proceedings of Government in this case, inclusive of copies of the whole of the Minutes recorded thereon by the Right honourable the Governor, and by the civil members of the Board, will be forwarded to the Honourable Court of Directors by the next overland mail (on the 17th instant).
Letters dated the 8th, 13th, and 31st October; 8th, 11th, 21st, 23d, and 27th November; and the 2d, 13th, and 15th December 1851.	Bringing to the notice of Government the fact of copies of official documents connected with cases in which the interests of Government were concerned, having been illicitly obtained from the Bombay Secretariate and other sources, by parties alleged to be in the pay of Bhow Tambekur, minister of his Highness the Gaekwar; at the same time stating that Bhow Tambekur has also been lately endeavouring, by corrupt means, to obtain the abolition of the Guzerat Irregular Horse, and complaining of Government not supporting him (Lieutenant-colonel Outram) in his endeavours to put a stop to certain alleged intrigues therein mentioned.	These proceedings, accompanied by copies of the whole of the Minutes recorded by the Right honourable the Governor, and the civil members of Government in this case, are reported to the Honourable the Court of Directors by the present overland mail, in political despatch, dated the 3d February, No. 15 of 1852.

(signed) *W. Malet*,
Chief Secretary.

Bombay Castle,
3 February 1852.

MINUTE by his Excellency the Commander-in-Chief, dated 1 February 1852.

ALTHOUGH I sign this memorandum, the records will show that I have not taken part in the proceedings to which it relates.

(signed) *J. Grey.*

1 February 1852.

Political Department, 15 March (No. 33) 1852.

To the Honourable the Court of Directors, &c.

Honourable Sirs,

1. As connected with our despatches noted in the margin, we beg to forward an original memorial (with accompaniments) to the address of your Honourable Court, from Lieutenant-colonel Outram, C.B., late Resident at Baroda, appealing against the proceedings of this Government on the matters therein mentioned.

Dated 26 Nov., No. 88, of 1851; 29 Nov., No. 89, of 1851; 1 Dec., No. 90, of 1851; 3 Dec., No. 91, of 1851; 3 Dec., No. 92, of 1851; 17 Jan., No. 4, of 1852; 31 Jan., No. 9, of 1852; 3 Feb., No. 12, of 1852; 3 Feb. No. 15, of 1852; 17 Feb., No. 19, of 1852; 28 Feb., No. 22, of 1852.

2. Lieutenant-colonel Outram has annexed to this memorial copies of numerous documents belonging to the records of the Baroda residency, some of which we consider unnecessary, and others objectionable, as documents to be used by an officer in Lieutenant-colonel Outram's position; but, for reasons mentioned in our proceedings, we have resolved not to interfere with their transmission to your Honourable Court in the form adopted by him.

3. We have, however, deemed it proper to inform Lieutenant-colonel Outram that he will not be at liberty to publish or circulate these documents, or extracts from them, without having obtained the express permission of your Honourable Court.

4. For our sentiments upon the various points treated on by Lieutenant-colonel Outram in this memorial, we beg to refer to the minutes of our Board, dated the 28th and 29th ultimo.

5. We beg to draw the attention of your Honourable Court to a summary, which, for easy reference, we have caused to be prepared, noticing the cases in which Lieutenant-colonel Outram, subsequent to his return from Egypt (on the 7 February 1850) has placed himself in opposition to this Government.

We have, &c.

(signed) *Falkland.*
A. Bell.
John Warden.

Bombay Castle, 15 March 1852.

Political Department, 26 June (No. 20) 1852.

Our Governor in Council at Bombay.

Political Letters dated 29 Nov., No. 89, of 1851; 17 Jan., No. 4, of 1852; 3 Feb., No. 12, of 1852; 15 March, No. 33, of 1852.

Para. 1. We have not hitherto replied to the letters enumerated in the margin connected with the removal of Lieutenant-colonel Outram from the office of Resident at Baroda, because we were desirous, before we wrote to you on that subject, to make ourselves fully acquainted with the proceedings of that officer as British representative at the Guicowar's Court, and especially to take a deliberate review of the investigations which occupied so large a portion of his time and exertions during his last year of office.

2. This review has been completed, and its result communicated to you in our political letters dated 2 June (No. 17), and 23 June 1852 (No. 19).

3. There is still one document proceeding from Lieutenant-colonel Outram on which our sentiments have not been expressed, namely, what is termed his Khutput report. This document we have not yet received from your Government in the regular manner, as you intended to consider it in conjunction with the other replies on the same subject which your circular letter to the heads of the several departments in the Political, Revenue, and Judicial branches of the service had elicited. At present we have it only from Lieutenant-colonel Outram, through you, as an enclosure in his memorial; and we therefore shall not now enter into any examination of the substance of that report. Your President, however, in his minutes of 26 January and 28 February 1852, "emphatically" declared that among the motives to Lieutenant-colonel Outram's removal "the presentation of the Khutput report had no place." The ground stated by your President for the measure, is Lieutenant-colonel Outram's letter dated 31 October 1851, which accompanied the report.

4. That letter Lord Falkland considered to be highly objectionable. In the first place its style and tone appeared to display such an absence of "respect" and "confidence" towards the Government he represented, as disqualified him for discharging satisfactorily the duties of his office. Secondly, he appeared to have formed a most erroneous idea of the rights and duties of his position as Resident at Baroda; and thirdly, he showed that he did not possess the tact, calmness of mind, and discretion indispensable to the satisfactory maintenance of our political relations with the Guicowar.

5. Mr. Blane, in his minute of 28 February 1852, adds another reason to those specified by your President: "I consider Lieutenant-colonel Outram's removal" (he observes) "to have been forced upon us by his persisting in proceedings dictated by the sentiments evinced in the letter attached to his Khutput report, and not solely by the inditing of that letter." Mr. Blane does not mention the particular transactions to which he alludes; and we do not perceive in the papers transmitted to us any instance of Lieutenant-colonel Outram's having persisted

persisted in proceedings which he had been instructed by Government to discontinue. We must, therefore, consider his removal as resting on the reasons assigned by your President.

6. The statement that Lieutenant-colonel Outram, in an important point, misconceived the extent of his powers as Resident is perfectly correct. We refer to the following passage of his letter: "Had I been on those terms with my own superiors to which in former days I had the honour to be admitted, as well by the local as the supreme Governments, I should at a very early date of my intercourse with the minister, have pointed out to his Highness the necessity, for the honour of his own Raj, of selecting another adviser. In doing this, I should have done no more than any other Resident in India, in a similar position, would have deemed himself justified in doing." To take so grave a step without express authority, would far exceed the powers of a Resident, and would require for its justification the probability that some great public evil would arise from the short delay necessary for a reference to Government. In the present case, there was no such emergency, and if Lieutenant-colonel Outram had acted as he thought he had power to act, he would on that ground have merited a severe mark of our displeasure. He must have been aware that the right vested by treaty in a British Resident, of offering advice to a native Prince, is to be exercised by him in strict subordination to his own superiors, and that it is a serious breach of duty to take any step which can have the effect of committing his Government to a particular course of policy, without having previously assured himself of their approbation.

7. With regard to the spirit and temper exhibited by Lieutenant-colonel Outram, we have no doubt that in resorting to the strong measure of removing him from office, you were influenced by the general tone of his correspondence for some time previous, and not exclusively by the remarks contained in his letter of the 31st of October 1851. Lord Falkland indeed states, in his minute of the 22d November, that that letter, "taken in connexion with former correspondence," convinced you that it would not be for the advantage of your Government that Lieutenant-colonel Outram should continue to represent you at Baroda.

8. Lieutenant-colonel Outram appears to have laboured under an impression that he was not supported by Government in his exertions for the detection of corrupt practices, and that the supposition that Government looked with disfavour on those exertions prevailed widely at Baroda, and had a tendency to defeat the object of his investigations.

9. But in communicating to you the impressions made on his mind, Lieutenant-colonel Outram ought to have expressed himself with the deference due from a subordinate officer to the Government which he serves; in this he failed. We are of opinion that the communications of Lieutenant-colonel Outram were not conveyed in terms consistent with that respect for the Government under which he was serving, which ought to be observed in all such representations; but we regret that you did not take an early opportunity of reprimanding him, and requiring him to withdraw or modify any objectionable expressions which rendered him justly liable to your censure.

10. In conclusion, we give to Lieutenant-colonel Outram credit for the zeal, energy, ability, and success with which he prosecuted inquiries attended with great difficulty; and taking this view of the case, we express our hope that when Lieutenant-colonel Outram shall return to India, you will find a suitable opportunity of employing him where his talents and experience may prove useful to the public service.

We are, &c.
(signed) *J. W. Hogg.*
R. Ellice.
&c. &c.

London, 26 June 1852.

No. 46 of 1852.—Political Department.

To the Honourable the Court of Directors for Affairs of the Honourable East India Company, London.

Honourable Sirs,

Dated 3d December, No. 91 of 1851, and 28th February, No. 22 of 1852.

In continuation of our despatches enumerated in the margin, reporting our proceedings in the case of Joetabhaee Setanee, second widow of the late Bechur Samul, head of the guaranteed banking firm of Hurree Bhugtee of Baroda, we have the honour herewith to forward to your Honourable Court, copy of a Minute by our Right honourable President, dated the 26th ultimo, concurred in by the Board, in which his Lordship alludes to circumstances lately come to his knowledge in connexion with the (male) child to which Joetabhaee alleges to have given birth subsequent to the death of her husband, and to have been his offspring.

We have, &c.

(signed) *D. A. Blane.*
A. Bell.
John Warden.

Bombay Castle, 3 May 1852.

No. 55 of 1852.—Political Department.

To the Honourable the Court of Directors for Affairs of the Honourable East India Company, London.

Honourable Sirs,

1. With our despatch dated the 29th November last, No. 89, we informed your Honourable Court, that under date the 31st October last, Lieutenant-colonel Outram had submitted to Government a voluminous paper, intituled, "Khutput Report," and stated that we would hereafter forward a copy thereof to your Honourable Court, accompanied by such other observations, as after a careful examination of the report might appear to us requisite. We at the same time submitted to your Honourable Court, a copy of the letter dated the 31st October last, from Lieutenant-colonel Outram to the address of our Chief Secretary, transmitting the above report, and reported the measures we had felt ourselves eventually called upon to adopt.

2. We now beg to forward* to your Honourable Court a copy of the above report.

3. This report has been divided by Lieutenant-colonel Outram into three parts, each of which has been subdivided into sections, and to the report are attached three appendices marked A. B. and C.

4. For our sentiments upon this report, we beg to draw attention to the Minutes of our Board, dated as per margin.†

† *See* below.

We have, &c.

(signed) *D. A. Blane.*
A. Bell.
John Warden.

Bombay Castle, 22 May 1852.

---

* Copy of this Report was forwarded by the last overland mail, *vid* Southampton, to the address of your Honourable Court.

† Minute by the Right honourable the Governor, dated 29 April 1852, concurred in by the Honourable Mr. Blane, and the Honourable Mr. Bell; Minute by the Honourable Mr. Warden, dated 5 May 1852; further Minute by the Right honourable the Governor without date, concurred in by the Honourable Mr. Blane and the Honourable Mr. Bell; further Minute by the Honourable Mr. Warden without date.

EXTRACTS of previous Despatches from the Court of Directors to the Bombay Government, respecting corrupt practices at Baroda.

Political Department, 10 February (No. 2) 1841.

Our Governor in Council at Bombay.

Corruption in the native establishment of the Political Commissioner in Guzerat.

Para. 1. WE now reply to your political letter of 16th September (No. 38) 1840, and to paras. 77, 78 of your political letter, dated 23d July (No. 28) 1840, reporting to us the progress and results of an investigation, chiefly conducted by the late Mr. Sutherland, concerning an extensive system of bribery which that gentleman had reason to believe existed in the native establishment of the Baroda residency, and of some of the political agencies under its control.

2. We have seldom had occasion to notice any investigations which afforded more striking exemplification of the extreme difficulty of establishing charges of this nature by conclusive evidence. Whether it be owing to the discouragements which the Guicowar Government is stated to have thrown in the way of the inquiry, or to the hopes and fears which the accused parties themselves were able to excite, the principal witnesses in almost all the cases which were examined, retracted on the final investigation the most material parts of the statements which they had made in the preliminary inquiries; and it may be accounted fortunate that of the numerous acts of criminality which were, it is to be feared with too much reason, imputed to the accused parties, any portion whatever was under such difficult circumstances brought home to them, so as to leave no room for doubt.

3. The result has been the dismissal of the following individuals: Brijlol Kishenlal, the head karbarree of the residency; Dadoo Punt, a carcoon on the same establishment; Dowlutram Muncharam, the karbarree of the Myhee Caunta; and Motee Purshotum, the carcoon in charge of the management of Rajpeimpla, and who, although paid by that State, appears by an irregularity deserving much censure, to have been virtually the principal native officer of the Rewa Caunta political agency.

4. We do not think it necessary to enter into the details of the several investigations. Were we to do so, we should have to express some difference of opinion from your Government on minor points, and in particular to state that we think the evidence stronger against Brijlol in the second, or Lulloo Mungul's case, and less strong in the third, or Sechora case, than you appear to have considered it. On the whole, however, we are fully satisfied with the conclusions you have arrived at, and approved your having dismissed all the four persons, and interdicted the future employment of two of them, Brijlol and Doulutram in the service of Government.

5. The case of Motee Purshotum, the Rajpeimpla carcoon, is most extraordinary, and most instructive as to the great difficulty of prosecuting such charges to conviction. This individual was charged upon oath by a great number of the Mewassee Thakoors of the Rewa Caunta, with having received from each of them on numerous specified occasions, particular sums varying in amount from a few to several hundred rupees. When a regular investigation took place before Mr. Courtney, all these chiefs denied, on oath, the whole of their previous testimony on oath, and affirmed that it had been given under compulsion, exercised by Lieutenant Ramsay's native establishment. Motee accordingly was honourably acquitted; and your Government rather hastily, in our opinion, came to the conclusion that he had been the victim of a conspiracy. In coming however to the conclusion that the second testimony of the Thakoors was that to which credit should be attached, your Government very unaccountably took no steps whatever to inquire into the very flagrant misconduct which that testimony imputed to the native servants of Lieutenant Ramsay, and for which no adequate motive had yet been shown. In a short time, however, several of the chiefs came forward a third time, and declared, still upon oath, before Mr. Sutherland, that they and the other witnesses had committed perjury not on the first, but on the second occasion; partly from fear of the power of the accused Motee Purshotum, and partly because that individual, in order to

induce them to retract their first statements, had paid back the amount of the bribes which he had received from them. Bewildered by this mass of false testimony, you would not, it appears, have felt sufficient confidence in the evidence to dismiss Motee from his situation if there had not been found among his papers a written engagement, executed by Lullbaee Pertamberdass Mujmoondar, to pay him a bribe of 401 rupees on the settlement of a certain business. And we must here bring to your notice, that the supposed improbability that an act of bribery would be performed in this particular manner, was one of the grounds on which you attached less credit than we think is due to one of the charges against Brijlol.

6. In addition to the four natives whom we have mentioned, another officer on the Political Commissioner's establishment was seriously implicated in the disclosures which have been made, Mr. George Evans, the head clerk and record-keeper of the Baroda residency. With respect to this person, when we perceive the opinion which was expressed concerning him by Mr. Sutherland, both on other occasions and in his letter of 7th August 1838, in which, besides extreme negligence and unfitness for his duty, so gross an offence as that of systematically communicating his office records to the Guicowar is imputed to him, we have some difficulty in understanding why so lenient a course was pursued with him as that of allowing him to exchange situations with an officer of the Ahmedabad Collector's establishment at a small reduction of salary; or why subsequently, on being informed that this individual had come again to Baroda, and had several interviews with the Guicowar, you should have desired that, if still in the service of Government, he should be ordered to his duty, when, if really guilty, he fully merited dismissal from your service; and if you are satisfied of the truth of the facts laid to his charge, we desire that he be forthwith dismissed.

We are, &c.
(signed) *W. B. Bayley.*
G. Lyall.
London, 10 February 1841. &c. &c.

EXTRACT Political Letter to Bombay, dated 1 June (No. 10) 1842.

6. WE think, however, with Mr. Boyd, that Captain Lang committed a serious error in the lenity with which he treated Madhoololl, his native agent. Having obtained such evidence as clearly proved this man to have been guilty of one act of gross corruption, he induced him to confess his guilt, in consideration of a recommendation to Government that his punishment should be limited to dismissal, and interdiction from re-employment, although Captain Lang was fully persuaded that an investigation would bring to light numerous other offences of the same kind committed by him. You have, although expressing your concurrence in Mr. Boyd's view of the case, disposed of it in the way recommended by Captain Lang, assigning as the ground "doubts whether conviction would certainly follow any other charge;" but Captain Lang's letter of 31 October 1840, does not lead us to believe that the difficulties would have been greater than those generally experienced in such inquiries. We entirely concur with you in thinking Captain Lang's anxiety for the restoration of money paid in bribery, to those who paid it, misplaced.

EXTRACT Political Letter to Bombay, dated 6 July (No. 13) 1842.

9. THE papers before us contain two investigations of charges of corruption preferred against native servants of Government. Narrain Row, Mr. Boyd's head accountant and treasurer, was, on an investigation by Mr. Ogilvie, one of the commissioner's assistants, found guilty of having entered into an engagement of partnership with a small banking establishment which existed for a short time at Baroda. It was affirmed, however, by Narrain Row, in his deposition, that on the very next day he retracted his consent; and although this assertion is not strictly consistent with the statement in his letter to Mr. Boyd, that the withdrawal took place after a few days, it was not proved that in any instance he received profits, or acted as a partner; the attempt to show that hoondees were given to the firm on more favourable terms than to other houses entirely

entirely failed; and Narrain Row affirmed that the sale of hoondees did not at that time rest with him, but with another clerk named Salvador, an assertion which we are surprised to see, Mr. Boyd and Mr. Ogilvie neither confirm nor contradict.

10. On a review of the whole case, we agree with you that a severe reprimand, with the forfeiture of all pay during his suspension, was a sufficient punishment for Narrain Row's offence. We are glad to observe that all Government hoondees disposed of at Baroda are now sold to the best bidder in open kutcherry. You will take care that this mode is generally adopted.

11. The other case was that of Majeelall, head carcoon of Mr. Malet, when in charge of Petland. This person was accused of taking a bribe of 100 rupees; and Mr. Malet, though he did not consider the charge as proved, proposed to dismiss the accused; but we entirely agree with you that the evidence was "perfectly insufficient to support the charge."

EXTRACT Political Letter to Bombay, dated 25 January (No. 3) 1843.

6. IT does not appear from Mr. Boyd's statement that the person named George Evans holds any ostensible employment under the Guicowar; and we are of opinion that if he were taken avowedly into that prince's service, you ought to require his dismissal from it. Our allies cannot be permitted to reward our servants for treachery to the interests of their employers.

Letter from, dated 15 June, No. 27, 1842 (6 to 8). Court's remarks on the convictions for bribery of some persons on the native establishments under the Baroda residency have been communicated to the proper officers. The individual named Geo. Evans is now residing at Baroda in the employment of the Guicowar.

EXTRACT Political Letter to Bombay, dated 31 July (No. 20) 1844.

5. THIS individual has, we perceive, been expelled from Baroda, and (as it would appear) from the Guicowar's territories, on your requisition.

Letter from, dated 31 March, No. 26, 1844 (7 to 16). Further Correspondence respecting the Indo-Briton named George Evans, lately dismissed from the Baroda residency.

Political Department, 6 May (No. 12) 1844.

Our Governor in Council at Bombay.

Para. 1. WE now reply to your letters noted in the margin relating to the case of Dhackjee Dadajee, and to the intrigues in which he was concerned for obtaining money from the Guicowar.

Case of Dhackjee Dadajee:

Letters dated 31 December (No. 50) 1842; 1 May (No. 26) 1843; 19 June (No. 40) 1843; 18 July (No. 44) 1843; 18 July (No. 45) 1843; 18 July (No. 46) 1843; 26 August (No. 52) 1843, para. 2; 26 August (No. 53) 1843; 2 October (No. 64) 1843; 2 October (No. 65) 1843.

2. In our despatch of the 31st July 1840, we distinctly refused our sanction to any payment being made to Dhackjee Dadajee on any other account than that of the enam villages.

3. This despatch was received at Bombay on the 11th of September 1840. In consequence of it, Dhackjee Dadajee was informed that our orders precluded your interference, but that he was at liberty himself to prefer his claims to the Guicowar. This communication was made on the 28th of October 1840; but it was not till the 29th June 1841 that steps were taken to apprize the Guicowar of our decision.

4. The support which we had given to some of Dhackjee Dadajee's claims may have inspired the Guicowar with the erroneous impression that we extended our countenance and sanction to Dhackjee's other demands. It was due to his Highness to remove all cause for this opinion; and we regret that the necessary communication was not made to him so soon as the orders above mentioned were received.

5. Without reference to the numerous circumstances of a mysterious and very suspicious character, which the voluminous papers before us detail, and from which it is impossible to draw other than most unfavourable inferences both as to the conduct of the Guicowar and as to that of Dhackjee, the letters of the latter to Sir James and Lady Carnac, and the reluctant admission of the Guicowar that he paid the money to Dhackjee for the purpose of securing, through him, political advantages from the late Governor, more particularly the release from the maintenance of Roberts' Horse,—in our opinion convict Dhackjee of having obtained the money through illegal representations, and pretences of undue influence. We, therefore, approve of your having removed him from the commission of the peace, and of your having cancelled the arrangement for paying to him from your treasury the rents of his enam villages.

6. We should be sorry to come to the conclusion, except on the most unexceptionable evidence, that the Guicowar paid the money under a belief that any portion of it was intended for the late Governor; but we must observe that his Highness's belief as to the ultimate destination of the money only affects the degree in which we hold him culpable. The payment of money, avowedly for the purpose of unduly obtaining political advantages in negotiations with our Government, was, under any circumstances, a very grave offence on the part of his Highness, and deserves our marked disapprobation, which we desire you to convey to his Highness.

7. We highly approve the motives which led you to adopt all the means in your power for clearing the character of your Government from imputations of corruption. The legality of your proceedings is questioned by Dhackjee Dadajee, but as he has appealed to a legal tribunal, we shall not anticipate the ultimate decision of that question.

We are, &c.
(signed) *J. Shepherd.*
H. Willock.
&c. &c.

London, 6 May 1844.

EXTRACT Political Letter to Bombay, dated 28 November (No. 35) 1849.

Letter from, dated 31 Jan. (No. 5), 1849. (3 to 6.) Misconduct imputed by Lieut.-col. Outram to Nursoo Punt, native agent to the Baroda residency.

16. Lieutenant-colonel Outram was of opinion that, in the case last adverted to, and also in that of Govind Rao Guicowar, the native agent had, by the suppression of facts, justified a suspicion of culpable collusion with some of the parties concerned. Your Government, after a searching analysis of the conduct of Nursoo Punt in both these instances, have, we observe, unanimously and entirely acquitted him of the imputed misconduct. You justly blamed Colonel Outram for having in his investigation availed himself of the services of one Venaik Moreshwur, who, according to the records of his department, was, in the opinion of the Government, "a very unfit person to be employed in any political capacity."

EXTRACT Political Letter to Bombay, dated 13 February (No. 4) 1850.

Dispute in the family of the late Bechur Samul, head of the guaranteed firm of Hurry Bugtee.

2. THE question in dispute in this case was, whether a son, alleged to have been born to Jaitabaee, the second widow of the deceased, was genuine or suppositious. Jaitabaee having objected to the referees appointed by the Guicowar to investigate the case, and having refused to join in the appointment of a punchayet, we approve your resolution to decline interference in her behalf. We observe that no doubt is entertained by Captain French of the spuriousness of the alleged posthumous child.

* * * * * *

Further proceedings respecting the claim of the firm of Hurry Bugtee, on Govind Rao Guicowar.

14. We had called your attention to the opinion of Lieutenant-colonel Outram that the firm of Hurry Bugtee had substituted a false bond, bearing interest, for 9,001 rupees, in the room of a mere acknowledgment of a balance of debt; an act which, if committed, would amount to a forfeiture of our Bhandarry. You now, after a reference to Captain French, report that "no proofs exist in support of Lieutenant-colonel Outram's suspicions." This is more than is borne out by the report of Captain French, who merely stated that he was "not aware of any grounds, beyond those reported by Colonel Outram, for supposing," &c., having previously stated, that "no further steps have been taken to ascertain the true state of the case."

15. The

15. The grounds adduced by Lieutenant-colonel Outram were strong, and, in his opinion, conclusive. He distinctly stated, in para. 4 of his report of 31st August 1848, that the soukar had "substituted for the receipt passed in 1830" a "former bond for 9,001 rupees, dated 4th February 1820, not endorsed by the Resident, and produced it as having been confirmed by the Resident in this item." The case certainly was not brought very clearly before Government in Lieutenant-colonel Outram's letter; but we should have expected that if his conclusion was not admitted, the insufficiency of his reasons would have been shown, or the subject referred to him for further explanations. We desire that the question be taken into the deliberate consideration of your Government, in order that, in the event of Colonel Outram's opinion being found to be correct, you may annul our Bhandarry.

EXTRACT Political Letter to Bombay, dated 15 January (No. 3) 1851.

Complaint of Venaik Moreshwur Baba Phurkey, of oppressive treatment by the Guicowar's government.

8. Lieutenant-colonel Outram's letter of 22d June 1850 seems to establish conclusively that this individual is a British subject, and Captain French, who led Government to believe, on most insufficient grounds, that he had forfeited the rights belonging to him in that character, is justly chargeable with culpable negligence.

9. Baba Phurkey was for a short time in the service of the Guicowar, from which he was dismissed, and according to his own statement, and Lieutenant-colonel Outram's, was, on a false charge of conspiracy, placed in confinement, his house searched, and many of his papers carried off. He was subsequently liberated, on giving security that he should not leave Baroda for three months.

10. By accepting office under the Guicowar, Baba Phurkey voluntarily subjected himself to such chances of subsequent molestation by his Highness's officers as might arise from the customary practices of the Baroda State. Although, therefore, Lieutenant-colonel Outram expressed a strong conviction that the treatment to which that individual has been subjected was brought on him solely by the aid which he afforded to the Resident in detecting malversation and corruption, there would have been no ground on which we could be called on to interfere in the matter, were it not asserted by the petitioner that the harsh measures were adopted in concert with the officiating Resident, Captain French. That officer admits that he suggested Baba Phurkey's dismissal from office. Instead, however, of referring Lieutenant-colonel Outram's letter to Captain French for explanation, you gave a virtual rebuke to Lieutenant-colonel Outram for bringing forward the subject. We regret that you did not accept Captain French's offer to give that full explanation which was due to Government in regard to his alleged part in the transaction complained of; and we direct that the opportunity of giving such explanation be now afforded to him.

2.

COLLECTION No. 1 of No. 88, Bombay Political Department, Letter from, dated 26 November 1851.

On the Subject of a Correspondence between Lieutenant-Colonel *Outram*, Resident at Baroda, and the late Mr. *Andrews*, of the Bombay Civil Service.

MR. ANDREWS' CASE.

Lieutenant-Colonel Outram's Report.

Extract, Bombay Secret Consultations; 26 November 1851.

No. 273 of 1850—Political Department.

No. 907 A. From Lieutenant-Colonel *Outram*, C.B., Resident at Baroda, to *Arthur Malet*, Esq., Chief Secretary to Government, Bombay.

Sir,

I HAVE the honour to transmit, for the purpose of being laid before the Right honourable the Governor in Council, a report founded on a correspondence in which I have lately been engaged with Mr. Andrews, Session Judge at Surat, a copy of which I have furnished to that gentleman.

2. In that report I have fully explained the considerations which have influenced me in its preparation, and the public reasons for which I am desirous that Government should afford to the natives of Baroda some unequivocal expression of the displeasure with which Government regard the proceedings both of Mr. Andrews and of the officer of his court, whom that gentleman thought fit to depute to Baroda, without previous communication with or authority from me.

3. Even with the active assistance and co-operation of every British official, it will, I fear, be long ere the spirit of corruption, and the belief in the corruptibility of Englishmen, is eradicated from the popular mind of Baroda. Without such active assistance and co-operation, no triumphs in this direction are to be looked for; and by proceedings such as those adopted by Mr. Andrews, my efforts against corruption are not only neutralized, but actively frustrated. Had Mr. Andrews merely stood apart, and withheld his aid from me, in my efforts to eradicate the belief that here prevails in the efficacy of "khutput," I should, as a servant of Government, have had good cause to complain; and since he has not only withheld his aid, but exhibited himself to the very natives whose faith in khutput I was endeavouring to shake, as the keen, persistent, undiscriminating advocate of individuals I suspected of improper practices, and that, too, at a time when, as he subsequently confessed, he knew nothing about the case, and had no more valid grounds for his conduct than his own intentions; and as, in discharging the functions of a mere advocate, he has adopted measures calculated to weaken my influence, and bring my authority into contempt, I feel that, did I not complain, I should betray the interests which Government have confided to me.

4. And unpleasant as it is to make such a representation, I deem it my duty to represent that no expression of the regret or displeasure of the Government at Mr. Andrews' proceedings will neutralize or materially mitigate the mischievous consequences of these proceedings, unless that gentleman be called on to apologise to his Highness the Guicowar, as well for the disgraceful conduct of his sheristedar as for the doubts in his Highness's veracity implied in the persistent credence given by Mr. Andrews to the statement of the sheristedar, in spite of the assurances he had received that those statements were false.

5. His Highness feels himself aggrieved by the falsehoods told by an interloper, whose only object appears to have been to make mischief; he feels doubly aggrieved at a British judge persisting in giving credence (*vide* paragraph 177 of

of my report) to these lies, after their falsity has been proclaimed; and as the representative of Government at this Durbar, it is my duty to request that a full and adequate apology be tendered to his Highness.

6. Individually I seek no further reparation for the insults personally offered to myself, than contained in the emphatic condemnation by Government of the whole tone and style of Mr. Andrews' communications. But as the head of the Political Department of this province, bound by the duty I owe the British Government to maintain the dignity and extend the influence of the office I hold, I feel that I am imperatively called on to request that Mr. Andrews be directed to furnish me with a written admission to the effect, that in sending his sheristedar to Baroda in the manner he did, he acted irregularly and unjustifiably; and with a written apology to me, in my capacity of Resident, for the misconduct of a man for all of whose acts he himself became personally responsible, inasmuch that he sent him hither without my sanction, and under instructions not communicated to me. Under any circumstances would such an apology be due and necessary, and in my own case I conceive it doubly necessary; for not only have the friends of corruption circulated reports to the effect that my efforts to expose and uproot the bribery system at Baroda have given offence to the Bombay Government, and that I have no countenance or support to expect from that quarter, but they have given out that as a mere soldier I am liable at any moment to be removed to a military command, when I shall be superseded by Mr. Andrews or some friend of his belonging to the civil service, when all that I may in the meantime do will be upset, and when the schemes now hatching at Baroda and elsewhere will be perfected, to the ruin of those who have assisted me.

7. I regret that my report is so voluminous, but as I have explained in that document itself, the peculiar style of Mr. Andrews' argumentative tactics has compelled me to have recourse to a more minute and laborious mode of treatment than I should have thought it necessary to adopt, had my opponent been one whose style of disputation was more consistent with my own ideas of straightforward controversy.

I have, &c.
(signed) *J. Outram*, Resident.

Baroda Residency, 16 December 1850.

N.B.—The accompaniments to this Report are forwarded in separate packets, No. 1 containing copies of correspondence with Mr. Andrews; No. 2, ditto, ditto; Appendices, as per following list:

List of Appendices.

No.
1. Answers of Sowcars, and Extract from the "Owra" chopra of Purshotum Runchore, sent to Mr. Andrews on 15 August.
2. Letter from Moongajee (A), Larcoba (B), Mancoba (C), and Kessowrow (D).
3. Depositions of Goomashtas, &c. No. 1 to 12.
4. Extract from "Owra" of Purshotum Runchore, and Depositions of Soorujram and Shumbooram.
5. Extract from the "Ledger" of Purshotum Runchore.
   Extract from the "Rozmail" of Purshotum Runchore.
   Extract from the "Rozmail" of Narrain Row Runchore.
   Extract from the "Rozmail" of Samul Bhugtee.
   Deposition of Ooka Sonar.
   Second Deposition of Shumbooram.
6. (A.) Statement of Baba Nafra, on 13, 20, and 25 August, and 10 October.
   (B.) Statement of Tatia Bah.
   (C.) Statement of Baba Nafra's son Amra.

No.
7. Translation of Queries put by Mr. Andrews to the Surat revenue officers, and their Replies, with my remarks thereon.
8. (A.) Deposition of Vunmalee Doolub.
   (B.) Anonymous letter from Surat.
9. (A.) Yad from H. H. dated 7 Oct. with enclosure.
   (B.) ditto dated 24 Oct. ditto.
   (C.) Report from Nurbheyram Sheristedar, dated 22 October.
   (D.) Yad from H.H. dated 31 Oct. with enclosure.
   (E.) Yad from Mr. Andrews, dated 9 November.
   (F.) Yad from H. H. dated 20 November.
10. Report of Nurbeyram, Surat Sheristedar.
11. Deposition of Peetambar Moonim Goomashta, of the firm of Hurry Bhugtee, and Icharam, the next principal Goomashta.
12. Statement of Aooruzzam, Native Agent (A.,) with Accompaniments (B.) and (C.)
13. Extracts from Hurree Bhugtee's chopras, showing sums given to Baba Nafra for marriages.
14. Report of Mahdowlall Gungadhur to H. H. the Guicowar, dated 9 October, forwarding Depositions.

(signed) *J. Outram*, Resident.

REPORT.

Baroda, 14 December 1850.

1. IN the course of a correspondence in which I have been recently engaged with Mr. Andrews, Session Judge at Surat, that gentleman has displayed towards me a general discourtesy unjustified by aught that I had said, or done, or written. He has persisted in representing me as sanctioning assaults on his character, in spite of the most solemn and reiterated assurances that all my proceedings in reference to him were inspired by the purest friendship. He has throughout assumed an offensively marked tone of superiority, and, not satisfied with these demonstrations of unkindly feelings towards me, he has presumed to charge me with the grossest disingenuousness; a charge he has refused to withdraw in the unqualified manner I have a right to demand, and one which, when called on to withdraw it, he practically reiterated under the plea of qualifying.

2. If guilty of the moral turpitude attributed to me, I am utterly unworthy any longer to occupy the high and honourable office I now fill. If not guilty, I am the object of unmerited insult and calumny, cast on me by a judicial officer of high standing, in consequence of acts performed by me in the conscientious discharge of duties devolving on me as a member of society, and as a servant of Government.

3. Conscious of my innocence, and confident of my ability to demonstrate it, I feel that I have an unquestionable right to claim, through the intervention of Government, that reparation and redress which I am precluded by considerations alike of moral and of official propriety from taking other steps to obtain.

4. But, in the preparation of this report, I am not solely, or even principally, influenced by personal feelings. Moved by a sense of my obligations as a public officer, I deem it my duty to crave a very attentive consideration for the present despatch, and for the correspondence which accompanies it, painfully satisfied as I am that the course Mr. Andrews has pursued during the progress of that correspondence is calculated to give increased strength and force to the mischievous and dishonouring belief, here so prevalent, that the highest officers of Government, both judicial and political, are amenable to other influences than the claims of truth and the behests of justice; and calculated moreover to rivet the impression that the authorities desire neither to have the popular belief in the efficacy of khutput eradicated, nor to witness the exposure of those unprincipled individuals who, for their own base and sordid purposes, promote and confirm it.

5. Having premised the reasons which I consider justify me in obtruding so voluminous a mass of documents on the Right honourable the Governor in Council, I proceed to state the circumstances out of which my correspondence with Mr. Andrews arose, and those which have attended its progress.

6. His Honour in Council is aware that I have recently been engaged in an investigation connected with the case of Setanee Joitabaee, a widow lady who was, through the villany of Baba Nafra, head goomashta (or manager) of the firm of the late Hurree Bhugtee, subjected to the most atrocious calumnies, to the abduction of her child, and to deprivation of her property.

7. In the course of my inquiries it came to my knowledge that Baba Nafra had perpetrated his iniquities through the agency of unprincipled individuals, bribed to perjury and other crimes from out of the funds of the banking-house of which he was manager; in other words, from out of funds, in part, the property of the victim of his horrible machination.

8. Under these circumstances, I applied to his Highness the Guicowar, as well for the books of the firm of Hurree Bhugtee, as for the private papers of Baba Nafra, which I requested might be seized by authority of the Durbar, sealed up and sent to the residency for formal examination. Both sets of documents were necessary to enable me to trace out the Baba's misdeed; for, as his Lordship in Council must be aware, it is not unusual for native bankers and merchants who have recourse to fraudulent proceedings of the nature of those under notice, to falsify their accounts in various ways and with much ingenuity, with a view to prevent them betraying the real nature of the transactions.

9. To

9. To elicit the truth, therefore, in the inquiry which I was about to conduct, it became highly desirable, not only that I should have the means of collating the private accounts of Baba Nafra with the books of the house which he managed, but that I should submit both sets of documents to the scrutiny of men well qualified by their experience in native book-keeping to unravel and expose the ingenious intricacies and artifices by which such characters as Baba Nafra attempt to prevent their accounts revealing the exact nature of their disreputable transactions; and to a committee of such men did I submit the documents sent to me by order of his Highness.

10. This committee was composed of an officer who attended on the part of the Durbar, of a carkoon in the office of Captain Fulljaimes, of my native agent, and of several of the goomashtas of Hurry Bhugtee's house, aided by three of the Residency carcoons, and the Residency Moonshee, whose duty it was to read and copy the papers. The proceedings of these individuals were conducted under my personal supervision.

11. Of the general proceedings of the committee it is not necessary that I should here speak. My investigations in reference to Baba Nafra's nefarious practices in this case will soon be communicated to Government; and his Lordship will then learn that the Baba effected his criminal designs against the reputations, property, and happiness of his master's widow, through the subornation of perjury, secured by the expenditure of funds in part her own, and of which he was the confidential custodier.

12. It is not, however, irrelevant to observe, that had Baba Nafra's papers been summarily seized, as I requested, and as the Guicowar had authorized, I have good reason for believing that I should have been in a position to submit to Government satisfactory evidence of several other disgraceful attempts on the part of that individual to tamper with the fidelity of the servants of Government, as well European as native, both on his own account and as the agent of others. Unfortunately, however, the officer despatched by his Highness to seize the Baba's papers, instead of at once attaching them, and sealing them up, left them undisturbed till next day; and when, on the morrow, wondering at the delay which had occurred, I sent the native agent (with the Guicowar's sanction, and accompanied by one of his Highness's officers) to see about the matter, the Baba was found engaged in sorting his papers, the more important of which he had already destroyed or secreted, in anticipation of the seizure, of which unfortunately he had received warning. The arrest, however, happily took place before he had time to dispose of all the traces of his villany.

13. Such papers as were found were sealed up, and brought to the residency, and were subjected to an examination by the committee of natives above enumerated.

14. In the course of that examination, a private memorandum of Baba Nafra's came to light, which seemed to occasion considerable sensation amongst the examiners. My attention was, at the time, directed to something requiring immediate disposal; but the stir amongst them caused me to look up. As I did so, I heard the name of Mr. Andrews mentioned; but observing that they were whispering with much energy, and looking towards me, I was led to believe they had discovered an entry of some extensive bribe alleged to have been accepted by myself. I therefore demanded what the document was which had produced so much excitement.

15. The reply was to the effect, that it was a memorandum of sums of money given to a prostitute and a residency clerk, and of a larger sum, supposed to have been given to them for Mr. Andrews.

16. I caused the memorandum to be read, and found that it made no allusion to that gentleman, referring only to a sum of money given to a woman and to a clerk named Larcoba, who had been employed in the residency while Mr. Andrews was Acting Resident, which, together with a sum of 18,000 rupees, was described as having been "sent into camp" at the same time.

17. I asked the examiners how they came to connect Mr. Andrews' name with this document. They replied, there could be no doubt that the woman referred to was a prostitute who had lived under the protection of Mr. Andrews, and was

supposed to exercise a great influence over that gentleman, while Larcoba was not only his protegé, but possessed much indirect power over him through his uncle Moongajee, who, they alleged, enjoyed Mr. Andrews' confidence to a very unusual extent.

18. I asked how they could for a moment suppose that Mr. Andrews, or any English gentleman, would allow his official judgment to be biassed by a prostitute, however great his intimacy with her, by any subordinate, however respectable, or, in a word, by other influences or considerations than the claims of truth and the promptings of justice. And I further demanded how they could consider that money "sent into camp" in June 1847, could have any reference to Mr. Andrews, who had at that time resumed his judicial duties at Surat.

19. In reply, it was urged by some that false dates might have been purposely had recourse to, with a view to conceal the nature of the transaction; by others it was suggested that the date of the payment need not coincide with that on which the money had been promised; but the majority inclined to the belief that the influence sought to be exercised over Mr. Andrews' mind had reference to a case in which that gentleman had to decide in his capacity of judge at Surat.

20. These volunteered opinions as to the precise object had in view, in the disbursement of the particular sums alluded to in the memorandum, were of course only surmises; they could not be otherwise, and only as surmises were they, at the time, given. But it must be remembered that the matter of surmise was merely as to the particular transaction referred to in the memorandum brought to light. As to the general character of the transaction, and its reference to Mr. Andrews, not one of them appeared to entertain the slightest doubt. That Mr. Andrews was familiar with such transactions, and that the agents through whom it was usual to influence him were Doolun, Larcoba, and Moongajee, these were points on which it was distressingly evident the views of those around me were clear, strong, and unanimous. They alluded to them in an off-hand way, which implied that they were matters generally understood, and matters of which they could hardly think I was ignorant.

21. The conversation among the natives, in the course of which these sentiments were indicated, was conducted in a desultory manner, which can be easily understood by those accustomed to deal with natives, and who are familiar with the way in which they all chatter together, finish each other's sentences, and explain, and enlarge on each other's meaning, and if allowed to go on, they would, doubtless, have entered into interminable gossipings in reference to Doolun and Moongajee, and the influence these individuals were supposed to exercise over Mr. Andrews' mind. But I did not encourage them to proceed in this strain. Much they did say; and not till they had said much did I become thoroughly satisfied that the impression was firmly fixed in their minds that Mr. Andrews was not above accessibility to corrupt influences, and that Doolun and Moongajee were the agents through whom these influences were brought to bear on him.

22. When I discovered this, I put a stop to the conversation. I told them, with some warmth, that they little knew the English character, if they supposed that any British officer would listen to, or allow himself to be influenced in, matters affecting his public duties, by such people as they alluded to. I asked them how they could be so foolish as for one moment to believe that a single piece of the sums of money taken by intriguing scoundrels, under pretence of handing it over to English gentlemen, ever reached the latter. I added that, with the view of showing them how erroneous was the estimate they had formed of Mr. Andrews, and at the same time, of demonstrating to them the roguery of those who obtained money under pretence of turning it to "khutput" purposes, I would at once, and in their presence, despatch to Mr. Andrews a copy of the memorandum found, and a statement of the interpretation they had put on it. That gentleman, I assured them, would take speedy and effectual steps to set his own character before them in its true light, and to bring to the disgrace and punishment they deserved the unprincipled characters through whom it had come to be misunderstood.

23. That Mr. Andrews was capable of accepting a bribe, under any pretext,

or

or in any shape, or that he would allow either a strumpet or a native subordinate of any grade to influence his decisions, were suppositions so monstrous that they never for a single second entered my mind. But, at the same time, I thought it extremely probable that Doolun and Larcoba had made a criminal use of his name, and that they had not only accepted the sums of money respectively attributed to them in the memorandum, but had participated with Moongajee in the 18,000 rupees which the goomashtas supposed to have accompanied the 3,100 rupees "into camp," and which I could see they believed to have, in reality, reached Mr. Andrews through Larcoba. And it must, I think, be admitted, that my suspicions regarding Doolun, Larcoba and Moongajee, were not unreasonable.

24. The party whose property the memorandum was had long maintained a disgraceful notoriety as a persistent dealer in bribery and cognate crimes. The memorandum was a private one, obviously designed only for his own reference and satisfaction; and it had been found in a bundle of papers which bore evident traces of not having been opened for some time, in one of several bundles, bearing similar traces which he had not had time to examine prior to the seizure, his attention having been principally directed to those papers having a reference to the immediate subject of my inquiries. A comparison of this memorandum with the public chopras (account books) left no doubt on the minds of an intelligent body of men (peculiarly qualified to judge by their long familiarity with native accounts) that it referred to sums of money which had actually been received and disbursed for unlawful purposes, the precise objects of which the Baba wished to conceal from any one into whose hands the memorandum might, by any untoward accident, happen to fall. One of the personages supposed to be referred to in the memorandum was the concubine; the other, whose name was detailed, was the protegé of Mr. Andrews; both of them were evidently supposed by those around me to be the channels through whom Mr. Andrews was accessible to irregular influences; and that the unlawful purpose for which the money had been given was the swaying of Mr. Andrews' mind was clearly a matter on which no difference of opinion existed amongst the examiners. Surely these were circumstances justifying the suspicion that Doolun, Larcoba, and probably Moongajee (whose name had been so unhesitatingly coupled with those of Doolun and Larcoba) had not only encouraged the belief that they could influence Mr. Andrews, but that, as respected the transaction referred to in the memorandum, they had pretended to convey the larger sum to Mr. Andrews, as Dhackjee Dadajee had done in reference to Sir James Carnac and others in 1842, and as clerk Craig had done in reference to Mr. Reid in 1849. If this suspicion was not a justifiable one, what other rational interpretation could be given to the chain of facts on which it rested?

25. And there was nothing in the characters of the individuals implicated to make their guilt appear to me a matter of *à priori* improbability. The records of the Adjutant-general's and other public offices will, I believe, show that the supposed influence of courtezans and concubines over their paramours has frequently been had recourse to with a view to sway European officials. And there was no reason to believe that "Doolun" was of purer morals, or less accessible to money influences, than others of her vocation. Moongajee was a man whose antecedents, so far as they were known to me, did not prepossess me in his favour, for he had been dismissed from Government employ in 1825, proclaimed a rogue, and declared to be incapable of again serving Government, a predicament in which he remained till the accession to Council of an early patron in 1838. And though I knew nothing to the prejudice of Larcoba, I knew nothing in his favour to induce me to believe that he, an obscure purvoe, must, in spite of the presumptive evidence against him, be incapable of practices so frequent at Baroda as to appear perfectly normal to the public mind. And the records of this office afford numerous painful proofs that men have, for a course of years, been guilty of the grossest bribery and breach of confidence, who, far from being suspected by the European superiors whose confidence they were betraying, were regarded, and officially pronounced by the latter, to be men of the strictest probity and the most unblemished character.

26. Entertaining the suspicions I have above indicated, I think the Honourable Board will admit that the course I pursued was the only one open to me,

whether viewed as Mr. Andrews' friend, or as a servant of Government. Distressed that the name of one towards whom I bore a friendly regard, and for whom I entertained a high personal respect, should be thus dishonourably associated in the minds of the people of Baroda, it was my anxious desire to have the existing delusion regarding his real character thoroughly and for ever dissipated; and this consummation, it was obvious, could only be effected by instituting a searching inquiry into the matter, and by demonstrating to the people, who appeared to consider him corruptible, that his name had been foully abused by unprincipled individuals, for their own base and sordid ends. That nothing short of such a demonstration of Mr. Andrews' superiority to irregular considerations could satisfy them was too painfully apparent, from the looks and gestures of those present, when I expressed my surprise that they should, for a moment, couple his name with any dishonourable transaction. As Mr. Andrews' friend, therefore, it was my desire that a rigorous investigation should be instituted; and I felt that, had Mr. Andrews occupied my position, and I his, I should have had good cause of complaint against him if, under similar circumstances, he had not taken steps to effect such an investigation.

27. But I was not merely Mr. Andrews' friend, I was also a servant of Government, charged, in virtue of my office, with upholding the reputation of Government within the sphere of my jurisdiction, with vindicating to the people of this province the strict impartiality and stern justice of the dominant power, and of those discharging functions delegated to them by that power; and with exposing, and bringing to the punishment they deserved, all who had, by false representations and oblique practices, tended to create distrust of British justice and impartiality.

28. It was therefore my desire, and I deemed it my duty, to take steps for promoting a strict investigation into the proceedings of those who had, by some means or other, come to be regarded as the channel through whom Mr. Andrews' mind could be improperly influenced.

29. But there were circumstances which rendered the initiation by me of such an investigation a matter of much delicacy. Mr. Andrews was occupying a high judicial office, and had I commenced an inquiry with which his name was connected without his authority, it might have appeared to those who believed him corrupt that I was investigating his conduct, while I was in reality seeking to vindicate his character; and therefore it was most desirable that I should appear to act entirely at his suggestion, and on his behalf.

30. Again, one of the parties suspected had recently been Mr. Andrews' concubine. To any one it would have been painful to have had such a connexion brought prominently forward, and to Mr. Andrews I thought it would prove doubly so, as I had always understood that he bore the reputation of being a man of evangelical principles. Delicacy to his feelings, therefore, would alone have prompted me to leave to him, not only the initiation of the inquiry, but the determination of the mode in which it should be conducted. And as Doolun was not in the Government service, and as her conviction, therefore, was a matter of very secondary importance, I was not without hopes that Mr. Andrews, while satisfactorily disabusing the people of Baroda of their erroneous views regarding him, might suggest some means of sparing his private feelings in respect to his connexion with that woman.

31. Such were the motives which actuated me. I desired to enable Mr. Andrews to demonstrate the falsity of the opinion entertained regarding him individually. I was anxious to prove to the natives of Baroda the absurdity of their belief in the efficacy of "khutput." I hoped to be able to bring to justice those by whom Mr. Andrews' name (and through him the purity of British justice) had been brought into question; and I was solicitous, both for Mr. Andrews' sake, and for that of the more emphatic refutation of the doctrine of "khutput," that the initiative should be taken by that gentleman, and that I should only appear as his agent in unravelling the iniquities which I had reason to believe had been perpetrated.

32. Acting under the influence of these feelings, I ordered a copy of the memorandum to be made. I directed Sumboorum, the Guicowar officer in attendance, to state the substance of what had been said by those present regarding their views

views of the memorandum in question; and I hastily penned a note to Mr. Andrews to accompany these documents. This note* I deemed it my duty to write, and (with its accompaniments, 1 and 2, the two papers referred to) to despatch, in presence of the committee of examination, expressing to them my firm conviction that Mr. Andrews would take immediate and effectual steps for placing his character in its proper light.

* Letter A.

33. My note was necessarily written in a hurry, and being so, it was not so clear or so minute as I should have made it had I not had a great moral object to effect by promptitude of action, and certainly not so clearly written as I should have deemed it my duty to make it, had I foreseen the spirit in which it was destined to be received; but at the same time I wished it to be suggestive only, not demonstrative. My object, as I have previously explained, was simply to stimulate Mr. Andrews into taking some decided steps for securing an investigation; I was most desirous not to hamper him in his decision as to the mode in which that investigation was to be conducted. And the same feeling of delicacy made me prevent Sumbooram, to whom it was confided to explain the general meaning attached to the memorandum, from detailing (as he was about to do) all the gossip that had been indulged in regarding Mr. Andrews' intimacy with Doolun, Larcoba, and Moongajee.

34. My note was as follows:—

"My dear Andrews, "Baroda, 31 August 1850.

"I AM sorry to have to send you the enclosed copy of a paper, found among Baba Nafra's chopras, and of the explanation given by the goomashtas of the firm, which implicates Larcoba, formerly in this office, and his uncle Moongajee, who is under you at Surat, and who, I am told, were protegés of yours, and also a woman, Doolun, in receiving a large sum of money from Hurree Bhugtee's firm, or rather from Baba Nafra, a considerable portion of which is put down as 'sent into camp' with Baba Nafra's son, Anna, for Larcoba, who I fear must have made a rascally use of your name on the occasion; although such does not appear on record, for this is the way in which such large sums were detained by these scoundrels, who enhanced their unlawful gains by leading the givers of bribes to believe that the larger sums reached the head of the office.

"Perhaps you may think it worth while to take steps to make Larcoba explain why he received this money.

"Believe me, &c.
(signed) "*J. Outram.*"

35. Under no circumstances would I have voluntarily entered into details in a preliminary letter, simply designed to communicate to him the suspicions I entertained, that a foul use of his name had been made by his kept mistress and confidential clerks. Yet I am ready to admit that my letter was meagre, that it would have been better had it been more minute. I might too have explained that it was a Surat not a Baroda case to which the memorandum was supposed to refer; though the dates given in the memorandum, and the allusion made by me to Moongajee, whose name did not occur in the memorandum, might have led Mr. Andrews to infer that it was as the Surat Judge, not as the whilome Baroda Resident, that his name had been misused for the particular transaction referred to. But, conceding all this, surely a demand for further information would have been the appropriate reply.

36. Mr. Andrews might have expressed his opinion that I had been hasty in my suspicions regarding his native friends. He might, in corroboration of this opinion, have stated the improbability of any sums of money having been received, under pretence of influencing him in Baroda matters, after he had ceased to have any controlling influence at that place. All this he might have legitimately done. And all this, if placed in Mr. Andrews' position, I might myself have done. But the mere fact of my friend communicating to me his suspicions that my name had been associated with dishonourable transactions, would have made me fear that he had valid grounds for entertaining such suspicions, despite the meagreness of his letter or his want of lucidity. It would have impelled me to thank my informant with unfeigned fervour for apprizing me of misconceptions I could easily put right, and it would have induced me to

beg of him to sift the matter to the bottom, and with that view to apply to me for such assistance, suggestions and information as he might think me likely to be in a position to afford, and what I should have done myself, I feel satisfied an overwhelming majority of all honourable men would have done.

B. 37. Instead of this, however, Mr. Andrews addressed to me the letter B., in which he neither sought further information, nor solicited explanation, nor even recommended me to re-investigate the matter, lest I might have too hastily jumped at my conclusions. With the most unhesitating confidence he assumed that Larcoba must needs be innocent; and with equal confidence he stated it, not as a shrewd surmise on his part, but as a fact to be regretted, and one about which no doubt could exist, that I had allowed myself to be imposed on by those who had an interest in deceiving me.

38. He, a Judge at Surat, took on himself at once to affirm the innocence of a purvoe, then residing at Broach, of a crime I had suspected the latter to have committed at Baroda; a crime which, Mr. Andrews was well aware, was one of not unfrequent occurrence.

C. 39. On the 15th of August I despatched to Mr. Andrews a second letter (marked C.), in which I apologized for the meagre nature of my first communication, and volunteered such explanations as I thought were called for. In allusion to the opinions of the goomashtas present at the discovery of the memorandum, I stated as my reason for not having taken the depositions of these individuals, that to have done so would have led to the "supposition that I gave credence to the insinuation" against Mr. Andrews, and that I purposed instituting proceedings in a matter which concerned him, and one that I concluded would be taken up by himself. And I expressed my deep regret that he should have received in an unfriendly spirit a letter which had been inspired by the purest feelings of friendship.

40. This letter was accompanied by the official decision of a punchayet of the principal bankers of Baroda, who had sat in consultation on the various suspicious items recorded in Baba Nafra's books, including the memorandum above referred to, and who had pronounced the latter document to refer to some secret transaction, and to exhibit the real disbursements made by him in effecting it; while they regarded the answering entries in the chopras as designed merely for deception; the chopras themselves being kept in too irregular and unbanker-like a manner to be deemed trustworthy records.

D. 41. In reply to this letter on the 23d of August, Mr. Andrews addressed to me the communication, marked D., which to myself and to those to whom I have submitted it, has appeared to display an animus not justified by the circumstances of the case, and to subject me to most unwarrantable imputations.

42. In reference to the regret I had expressed that Mr. Andrews should not have received my first communication in the friendly spirit in which it was written, he assured me (in the letter now under reference, that of the 23d August) that it was owing to the date of the memorandum indicating that the transaction referred to a period when he had no connexion with Baroda.

43. Whether he was justified in at once assuming that the disreputable transaction referred to must necessarily be one connected with residency business, and could not possibly refer to Surat Adawlut matters, is a question I do not care to discuss; but as in my letter of the 15th August, I clearly told him that the transaction in question was supposed to have had connexion with a Surat case, I think I have good reason to complain of Mr. Andrews still persisting in the tone he had seen fit to adopt in reference to my first letter.

44. Without waiting to receive my answers to the questions he put, he at once unhesitatingly affirms that there was not, and could not possibly have been the slightest ground for the opinions entertained by the committee of examination, to the effect that Doolun, Larcoba, and Moongajee, had accepted money on the plea of improperly influencing his mind; with a confidence in the character of the suspected parties, rather unusual amongst gentlemen accustomed to deal with natives, and more especially amongst gentlemen whose minds have been long trained to judicial investigations, he takes upon himself to proclaim the opinions

opinions offered by the goomashtas as the "infamous suggestions of their authors' own depraved minds."

45. And not satisfied with justifying his first acquittal of Larcoba, founded on the argument of the dates, an argument I had shown to be untenable, by informing him that the transaction was supposed to refer to a Surat matter, he termed the explanation offered "a new insinuation;" and he addressed me in a style which neither our relative positions nor gentlemanly courtesy sanctioned, accusing me of "want of judgment and penetration," of having outraged his feelings, of having sanctioned a malicious libel with my official signature, &c. &c.

46. Unaccountably possessed with the idea that he was the object of some conspiracy, and that his innocence of corrupt practices could only be established by demonstrating the purity of the parties I suspected of having abused his name, the whole of his subsequent correspondence has not only presented a series of elaborate but untenable pleadings, in behalf of the subjects of his defence, but a succession of the most unfounded insinuations that I have made myself the vehicle for the aspersion of his character.

47. There has been no regret expressed that an unfavourable opinion of him should have gone abroad amongst the natives of Baroda; but an intense degree of soreness has been displayed, that the fact of this opinion being entertained should have been brought to his notice, and thus, as he incorrectly says, "placed on the records of the residency;" and labouring under this soreness, and strangely appearing ready to stake his character on the demonstrability of the innocence of Doolun, Larcoba and Moongajee, he increased in offensiveness of demeanour towards me, till at length his letter of the 18th September (M.) compelled me to demand apologies for the language he had employed, and to insist on our correspondence being henceforth conducted in official form. M.

48. As I conceive that Mr. Andrews' proceedings in the matter that elicited our correspondence are viewed in a public light, such as will ensure a perusal of the letters that passed between us, I forbear from entering into further details regarding the personal discourtesy I have received. For when the circumstances which induced me originally to address him are borne in mind, when their due weight is given to the feelings under which I did address him, when the attitude he from the first assumed is considered, and when the correspondence is itself perused, I feel certain that the Right honourable the Governor in Council will admit, that I have displayed much forbearance under great provocation; and it will, I think, be allowed, considering the nature of Mr. Andrews' proceedings, that I have exceeded the strict requirements of the case in affording him information for correcting his misconceptions, and in setting him right as to matters of fact.

49. I now address myself to the course of procedure Mr. Andrews has seen fit to adopt in reference to the parties suspected by me; for that course has, I conceive, been such as to tend to strengthen the belief in the efficacy of "khutput," here so painfully and so mischievously prevalent.

50. I have already alluded to the fact that Mr. Andrews from the first assumed the perfect innocence of Doolun, Larcoba and Moongajee, and that from the first he persisted in a tone which implied, that to assume their guilt was to infer his complicity with them, and that to vindicate himself it was necessary to demonstrate the innocence of those whose cause he chose to make his own. I have now to draw attention to the fact that, apparently acting on these foregone conclusions, Mr. Andrews' first step was singularly ill calculated to promote the elicitation of truth.

51. It did not occur to that gentleman to cause a set of searching queries to be simultaneously and unexpectedly put to the three suspected parties ere yet they had learnt the nature of the evidence against them, though this could have been easily effected by requesting the judges at Broach and Ahmedabad to summon Larcoba and Doolun before them, and examine them on a particular day, Mr. Andrews catechising Moongajee on the same day. Had such a measure been adopted, any discrepancies which appeared in their statements would have suggested and have indicated the nature and direction of further inquiries. Had Mr. Andrews been ignorant of Doolun's present abode, and

had he, after inquiries, failed to discover it; still he was well aware of Larcoba's place of residence, and could at all events have had that individual examined by Mr. Morgan, at the same time that he himself interrogated Moongajee. If my suspicions were unfounded, their insufficiency would have been rendered all the more apparent by the adoption of such a course; if, on the other hand, they were well founded, some chance would have been afforded of the ends of justice being obtained. And surely such is the course which a judicial officer of Mr. Andrews' experience would naturally be supposed by me likely to adopt, in a case where his own official reputation, in other words, the honour of British justice, demanded a most truth-searching investigation. But Mr. Andrews' course was very different; he at once submitted my confidential preliminary letter and its accompaniments to Moongajee, who was at Surat, and to Larcoba, who was at Broach.

52. If, as I still believe, my suspicions were well founded, it is obvious that such a procedure was little calculated to promote the elicitation of truth; for it put the suspected parties most effectually on their guard ere yet any formal inquiry had been instituted, and by showing them the nature of the evidence, oral and documentary, by which alone conviction was likely to be obtained, enabled them to compare notes and take steps for baffling any investigations I might have chosen to make. And not only did Mr. Andrews from the first take them into his counsel, and treat them as men having the same interests at stake as himself, but he further associated himself, as regarded the discussion concerning these individuals, with Keshow Row, the son of Nursoo Punt, late native agent at the residency. That is, he took into his counsels a relative of Baba Nafra, the man through whom the suspected parties were, it was believed, corrupted; and this relative of Baba Nafra, it must be noted, was the son of a man supposed to be, and as Mr. Andrews was aware, accused by me of being deeply implicated with the Baba in other transactions of a similar nature, and one, therefore, who had a direct personal interest in defeating every inquiry into that person's rascalities.

53. Whether the objects of my suspicions were guilty or not, what could those who were apparently satisfied of their guilt infer from such a line of procedure; and how much more pointed must have been their inferences when they contrasted the positive acquittal of the suspected parties, in which Mr. Andrews indulged, before the most distant approach to an inquiry had been made, and the manner in which he expressed himself regarding them, with the wrathful and highly discourteous tone in which he continued to address myself, a tone the nature of which his native advisers took good care should be no secret at Baroda. The suspected parties were innocent, upright, and cruelly maligned men, while I was deficient in judgment and penetration, the dupe of conspiracies, and a mere tool in the hands of interested parties. There was much reproach cast on me for having in a confidential letter* to a friend, and one written out of zeal for his honour, ventured to doubt the probity of certain subordinates; but there was little tenderness shown to the feelings of an English gentleman, who, if he erred in aught, was guilty of nothing more heinous than suspecting certain parties, and of confidentially communicating those suspicions to a brother official, who was, if possible, still more strictly charged than myself with maintaining the dignity and prestige of British justice. And not one of these things escaped notice and comment on the part of the sharp-eyed natives of Baroda, whose faith in the efficacy of khutput is not of yesterday, nor slenderly rooted, nor readily to be shaken.

54. It will, I think, be admitted by the Right honourable the Governor in Council that the adoption of such a course by Mr. Andrews was, to call it by the mildest term, peculiarly unfortunate. But it may possibly be alleged by Mr. Andrews, that the fault was really mine, that my suspicions were vague, and,

* Mr. Andrews cannot pretend that he considered my letter an official one, for in alluding to a communication of a subsequent date to Mr. Andrews, Kessow Row thus expressed himself: "Having been informed by Mr. Andrews, that in a private letter recently received by him," &c. "The hypocritical letter I allude to is given (with a few remarks of my own appended) in Appendix No. 2 D., not as having the slightest bearing on the case, but inasmuch as it was an enclosure of one of Mr. Andrews' letters.

and, in so far as they seemed to that gentleman to refer exclusively to Baroda affairs, self-refutary.

55. I did not think it necessary to insist again on the fact, that it was in Mr. Andrews' power to call, and that I should readily have responded to any such demand for fuller information, more explicit statements, and more detailed explanations. Nor shall I dwell on the proposition, that it was that gentleman's moral duty, as my brother officer, if thoroughly satisfied that my suspicions were erroneous, to convince me of my error in a private and confidential letter, like that in which these suspicions had been expressed, instead of holding me up to the odium and animosity of native subordinates as their libeller and defamer. I will, for argument sake, consider (though as a matter of fact I utterly deny) that there was sufficient excuse for Mr. Andrews' conduct in the first instance, owing to the meagreness and obscurity of the letter in which I originally broached my suspicions. But though, for argument sake, I concede this, I think his Lordship will consider that Mr. Andrews' conduct ceased to admit of such an excuse after he was in possession of my letter of the 15th August (C.), in which I had explained to him that when I wrote my first letter C.
"I was quite aware that if the money had been taken by these people (Doolun, Larcoba, and Moongajee), it could not have been given with reference to any case pending at Baroda, neither was it supposed to have any connexion with the latter, but with a very important case at Surat, which was about to come before you, in which certain parties at Baroda were deeply interested."

56. In reference to that letter, Mr. Andrews, writing on the 3d October (Q), thus Q.
expressed himself, "I assure you, that when I received your second letter,* alluding * That dated the
to a case at Surat, I was utterly at a loss to know what was referred to; my first 15th August,
idea was that the case of Jumnabaee (Kessowdass' widow) and Bhanabhaee was marked C.
alluded to, as it had been referred to me by Government; but on comparing dates I discarded that notion, and I was again quite at a loss to imagine what case was intended. The Bukshees' and Jaffer Ali's case never occurred to me, as I considered the parties and Surfraj Allie above such tampering, and that they were much too intelligent not to be aware of the folly of such an act, as also because their case was pending since 1842. However, your informants were so vague and wild in their surmises (not assertions), supposing either that the entries were first dated in the accounts, though the items might have been paid on account of the Shastrees Potdaree disputes, or perhaps on account of some dispute about to come before me at Surat, or perhaps on account of the dispute between the Bukshee and the Nawab, which was still pending, that they were quite worthless, and should never, I think, have been in the smallest degree recognised by you as evidence in any case, in the remotest degree even, affecting my character and honour."

57. The above extract is calculated to convey such an erroneous view of the bearings of the case, that I am constrained to analyse it.

58. In the first place no surmises volunteered to me had ever "been in the smallest degree recognised by me as evidence in any case, in the remotest degree even, affecting his character and honour." The surmises indulged in on the discovery of the memorandum, taken in connexion with the looks and gestures of the persons volunteering them, were merely regarded by me as painful evidence that Mr. Andrews' name had been prostituted by wicked people, and had thus been brought into undeserved reproach. The belief that such was the case prompted me to apprize that gentleman of my views, and thus to enable him to do justice to his "character and honour."

59. In the second place, as I have already explained in para. 20, the opinions volunteered to me, professed to be no more than surmises—they could not possibly have been more than surmises. But as I have said in the paragraph just referred to, the only point of surmise was "as to the particular transaction referred to in the memorandum brought to light. As to the general character of the transaction, and its reference to Mr. Andrews, not one of them appeared to entertain the slightest doubt." I had shown the goomashtas that it could not refer to Baroda matters; but so strong was their conviction as to the nature of the transaction (founded on the character of the document, and on the popular estimation in which the several parties were held) that this did not shake their

confidence that money had been given. A difference of opinion as to the precise object of the payment existed amongst them, as I have already said, but the decided impression of the majority evidently was that it referred to a Surat case.

60. But whatever might be the character of the goomashtas' surmises, their "vagueness" or "wildness" could not possibly have influenced Mr. Andrews' mind when, on the 23d August, he replied to my letter of the 15th, seeing that they were not communicated to him till the 31st of that month. On the 23d August he begged to be "furnished with the depositions on oath of the persons who gave the separate items of information referred to in Shumbooram's statement." These depositions were taken on the 27th, 28th, 29th of August, and despatched on the 31st.

61. Thus, when Mr. Andrews received my letter of the 15th August, he knew nothing whatever of the "vagueness" or "wildness" of my informant's surmises; but he did know, from my assurance to that effect, that when I first addressed him, I supposed the memorandum to refer to a Surat case, not a Baroda case, though one involving the interests of parties at Baroda. I did not think it necessary to specify the case, and thus, by calling Meer Surfraz Alli's probity in question, expose myself to a repetition of the discourtesy with which I had already been treated, for presuming to doubt the moral purity of Larcoba; and there was no reason why I should voluntarily have incurred such a risk. The information given was only vouchsafed with a view to satisfy Mr. Andrews that he had done me injustice in assuming that I had not noticed the date of the memorandum; for, as Mr. Andrews, the party most interested, had evinced no desire to have the matter thoroughly sifted, as he had adopted the course of all others least calculated to promote the elicitation of truth; and as he had chosen to assume a tone as startling as it was distasteful to me, I had washed my hands of the whole affair, as will be seen from the subjoined extract from my letter: "You however at once assume the innocence of the accused party, and feel certain that he can have no other answer to give but a denial *in toto*; and doubtless such will be his defence if he finds it satisfies you. I have no further concern in the matter. I have acted a friendly part, and done my duty, by bringing the circumstance to your notice; and if you are satisfied with the man's denial, I, of course, as he does not belong to my office, leave the case to be dealt with according to your own judgment."

62. And not only was Mr. Andrews, when he received my letter of the 15th August, ignorant of the vagueness of my informant's surmises, and at the same time aware that from the first my suspicions regarding Larcoba, &c. referred to a Surat case, but he was, moreover, in possession of the decision of a punchayet of Baroda bankers, to whom the memorandum had been referred, and who unmistakeably avowed themselves satisfied that the document, not the chopras of the firm, gave the true account of the disbursements.*

* *Vide* Appendix, No. 1.

63. Yet in spite of these circumstances, in acknowledging my letter on the 23d August (E.) he continued to justify the tone of his letter of the 5th idem, reiterating, in even stronger than his original language, the judgment he had before intuitively arrived at, and pronouncing the opinion of the goomashtas, to the effect that money had been received by Larcoba, Moongajee, and Doolun, "calumnies and insinuations utterly unwarranted by the paper of account, the infamous suggestions of their authors' own corrupt mind," and "manifestly base libels." Nay, as has been seen, the very assurance I had given him, that when I first wrote I believed the memorandum to refer to a Surat case, he took on himself to pronounce a "new insinuation."

64. For the fervour with which Mr. Andrews, in his second letter, dealt forth such strong opinions, without waiting for the additional information he solicited, he assigned no reason whatever as regarded Larcoba and Moongajee, notwithstanding that the insufficiency of the first argument adduced in their behalf had been pointed out, viz., the erroneous argument founded on the date of Baba Nafra's memorandum, and that his failing to assign any reason for his bold assumption, that Larcoba and Moongajee could not possibly be guilty, arose only from the circumstance that he could not possibly assign one, is sufficiently evident from the eagerness with which he advanced a philological plea in behalf

behalf of the woman Doolun; asserting (but inaccurately) that the term "Sobagwuntee Baee" was never used in reference to a kept mistress.

65. Thus, though he called on me to specify the Surat case to which the memorandum was supposed to have reference, and to furnish him with the depositions of the goomashtas as to what had been said on the discovery of that memorandum, yet, inasmuch as he had prejudged the case, assumed the innocence of the suspected parties, and adopted a course which rendered the success of any inquiry highly improbable, the additional information thus called for was demanded under circumstances, and in a tone characteristic less of the impartial judge than of the advocate of Doolun, Larcoba, and Moongajee.

66. And the circumstance of Mr. Andrews introducing into the letter in which he called on me to specify the Surat case to which the memorandum was supposed to refer, such an unqualified acquittal of the suspected parties, will, I think, appear all the more strong to the Honourable Board, when taken in connexion with his subsequent account (quoted in para. 56) of the state of mind under which he penned that letter.

67. When informed by me that the memorandum was supposed to refer to a Surat, not a Baroda case, he has since assured me (letter of the 3d October) that he felt "utterly at a loss to know what case was referred to;" in other words, that he was not in possession of the elements requisite for arriving even at a crude provisional opinion as to the probability of the alleged transactions; yet, in this state of ignorance, and notwithstanding the assurance he had received that he had already hazarded opinions on false premises, he, a judge, took on himself to pronounce on the merits of the case at the very time he was calling for the information necessary to enable him to enter on a preliminary inquiry.

68. It may however be urged by Mr. Andrews, that though he called on me to specify the precise Surat case to which the memorandum was supposed to refer, he only did so to satisfy Government and myself of the absurdity of the imposition that had been practised on me; he himself being well assured that no suitor of his Court would dream of making "khutput," or at all events that Doolun, Larcoba, and Moongajee had never acceded to becoming the vehicles of khutput. And some such argument as this seems to have been implied when explaining on the 3d October his conduct on receipt of my letter of the 15th August, he tells me that the date of the memorandum forbade his believing that Jumnabaee's case was referred to, while for certain other reasons it never occurred to him to fancy it could be the case of the Nawab and Bukshee, in which Meer Surfraz Allie of Baroda was interested.

69. Passing over the general peculiarities of this off-hand style of settling a matter deeply affecting the honour of the British Government, points on which it is not my province to enlarge, I feel it my bounden duty to draw attention to the extraordinary nature of the reasons assigned by Mr. Andrews for not supposing that the memorandum could be held to refer to the very case to which it was all along held to refer.

70. These reasons are three: first, the moral character of the parties and of Meer Surfraz Allie, whom he believed "to be above such tampering." Secondly, their intellectual discernment, which he assumed must make them "aware of the folly of such an act." And, thirdly, the fact that the case "had been pending since 1842." With respect to the first two of these reasons, it might be enough to observe, that the same style of argument, if deemed valid, would prevent any educated man, who had in the main borne a fair reputation, being ever brought to trial on a specific charge, or even having an inquiry instituted into his conduct. Such a line of argument, if recognized, would have been conclusive against any inquiry being made into Dhackjie Dadajie's proceedings.

71. But even such a line of argument could not be urged in behalf of Meer Surfraz Allie, who had neither been too moral nor too intelligent to mingle himself up with a bribery transaction (that of the Guicowar's attempt to seduce the Bombay Government in 1842), compared to which the Larcoba affair was the veriest trifle. And, as regards the third reason, my only wonder is, that it

should ever have been urged. For I cannot see what bearing on the question of bribes the prolonged litigation between the Nawab and the Bukshee could possibly have, unless indeed it were regarded as supplying a possible motive for wishing, by monied intervention, to bring it to a close; but I do most clearly see, and so I am sure will the Right honourable the Governor in Council, that the period at which Mr. Andrews' report was given in this long litigated case had a material bearing on the question at issue, if, as I believe, the date of the memorandum was anterior to that on which Mr. Andrews expressed, or was expected to express, his judicial opinion.

F. E. 72. To resume my narrative. On the 31st of August I replied (F.) to Mr. Andrew's letter of the 23d and 24th (E.), furnishing him, at his request, with the depositions of the goomashtas as to what had taken place on the discovery of the memorandum. In reference to these depositions, I observed that "the deponents had purposely evaded stating much that passed among them respecting Moongajee riding in your carriage, the woman, &c., on which subjects I have not questioned them however, as it is evident from what you tell me that the 'riding in the carriage' is sheer invention"; * * * "that circumstance, which was stated as a fact, is evidently false; and of course everything else reflecting in any way on you is so, I have no doubt, likewise; and it was to evince my indignation, and my confidence that you would share in that indignation, at any one supposing that such people as Moongajee, Larcoba, and woman could have corrupt influence over you, that I directed Shumbooram to make a memorandum, for your information, of the substance of what they had stated; and I at once enclosed it to you, assuring them that you would soon bring the parties to punishment who had thus misrepresented their influence with you. It was to this memorandum that I affixed my signature, which you style 'sanctioning a malicious libel by my official signature.' I beg to protest against any such meaning being attached to the circumstance. Was I to permit what had been said to pass unnoticed, and thus leave these people to suppose that I could entertain for an instant the idea that there was any ground for the surmises which it was evident from what had transpired were entertained by them, as to the object with which the sums noticed in this secret memorandum had been paid, the course I adopted at once showed them that I was confident your name had been abused by the people who had taken the money; for that the money had been taken by Larcoba and the woman, not a single doubt appeared on the mind of, or was expressed by any one of the persons present, who were so well able to understand the real meaning of the document which had accidently turned up. I had no reason to doubt then that such was the meaning of the entry, nor have I now; nor do I believe any sowcar at Baroda has any doubt of it; but the proof that the money was actually given to Larcoba is another matter, and could only perhaps be obtained through Baba Nafra and his son Anna, who are not of course likely to divulge the fact, and have heretofore, I am told, refused any replies to the queries put to them by the Durbar on the subject."

73. If any doubt previously existed on Mr. Andrews' mind as to the objects I had in view in originally addressing him, surely this letter of the 31st August ought to have removed it. The depositions of the goomashtas, and the explanations with which, in the letter above alluded to, I accompanied those depositions, together with the general tenor of our foregoing correspondence, and the assurance that if he was satisfied with the innocence of the suspected parties, I had no intention (as I had taken no steps) to insist on an inquiry, should surely have satisfied Mr. Andrews that what I had subsequently communicated had only been communicated from a friendly feeling towards himself, and at his own request. And the forbearance I had displayed under the discourtesy to which I had been so unjustifiably exposed, ought surely to have prompted that gentleman to greater civility for the future, if it did not induce him to apologise for the unwarranted tone in which he had already indulged.

G. 74. But far from this, on the 6th September (G.), in answering my letter of the 31st August, he insinuated that the opinions which the goomashtas expressed in reference to the memorandum were those "of probably dishonest, interested, and servile natives, whose disposition and character it is to flatter the prejudices or wishes of their superiors, without regard to truth." Such language, if it mean

mean anything at all, clearly implied that it was to flattering prejudices, views, and wishes, that the goomashtas had expressed that belief in Mr. Andrews' venality, the expression of which had excited my indignation, and prompted me to put it in Mr. Andrews' power to demonstrate its falsity.

75. And not satisfied with the adoption of such language, and in spite of the assurance I had conveyed to him in sorrow, not in anger, that since he was satisfied his name had not been improperly used, I washed my hands of the affairs, he thought fit to accompany his letter with a memorandum of queries, to which he demanded categorical answers. The insulting nature of these will be best illustrated by a few quotations.

76. His second demand was, that I should "forward by return of post" certain extracts from the banker's books. His third called on me to state distinctly "whether I had anything further to say in support of my belief that the money was received by Larcoba and the woman than what I had already said in my several letters, and to reserve nothing to be revealed hereafter." In his fourth demand, he required me "to forward at once, by return of post, all the proof I had to adduce, to bring home the charge against Larcoba and the woman, or, if I had proof of no other description than the surmises of the different persons that I had forwarded in writing with my second, third and fourth letters, to state distinctly that I had no further proof to adduce. Also, what proof these deponents can show beyond the assertions founded on the mere conjectures that are contained therein;" and in his eighth he actually "called on me to obtain from Shumbooram the date which his concubine was said to have been dismissed by him for misbehaviour."

77. The circumstances of the case being considered, the adoption of such a tone would not have been justifiable even had Mr. Andrews been the professional advocate of Doolun, Larcoba and Moongajee; and I need hardly say that its distastefulness to me was materially enhanced, when I remembered that the person displaying it was a brother official, to whom I was conscious of having acted as I should have wished him to act towards me, under similar circumstances.

78. Still I did not choose to quarrel with Mr. Andrews; for I believed that much of the discourtesy shown me was the result of strong feelings operated on by Moongajee and Nursoo Punt's son, both of whom, as has been seen, Mr. Andrews had taken into his councils. Considering that on the 15th August I had declared, that if he was satisfied to leave matters as they were, I should not deem it necessary to take any further steps, the demand made on the 6th September that I should "keep nothing in reserve to be revealed hereafter," was a piece of such gratuitous insult, that I could only account for it on the supposition that its real inspirer was Keshow Row (Nursoo Punt's son), and that supposition rested on strong grounds of probability. Keshow Row was in unimpeded epistolary intercourse with his father; and his father had nearly as unimpeded intercourse with his relative Baba Nafra, who, though nominally in confinement, was allowed to do pretty much as he liked, and who thus soon became aware of the very emphatic manner in which, from the first, Mr. Andrews had taken the part of Doolun, Larcoba and Moongajee. I am therefore fully entitled to assume that Nursoo Punt's son had been duly advised that the Baba would confess nothing, and that thus no clue to the mystery of the memorandum would be given beyond any I might already have through the possession of his papers. Without a confession on the part of Baba Nafra, or his son Anna, I had already said (on the 31st August) that there was no probability of the money-giving being established, clearly intimating that I had, at the date of that letter, discovered no other criminatory evidence in the Baba's papers. And I therefore believed, that unless Keshow Row had maliciously operated on Mr. Andrews' feelings, that gentleman would not have adopted so offensively discourteous a mode of asking me to apprize him of what I might have discovered between the 6th of September and the date on which I might answer his of the 10th. That Keshow Row should have so worked on Mr. Andrews' mind was no improbable matter, for not only would any quarrel in which he could involve me with Mr. Andrews be a diversion in favour of his relative Baba Nafra and his father Nursoo Punt, in reference to both of whom he knew that I was preferring serious charges, or

conducting criminal investigations, but he was moreover well aware that the more effectually he exhibited me as placed in antagonism to high civil servants, the more would he be able to deter those natives, who had it in their power to give me information regarding Baba Nafra and his father, from doing so. For it has been the policy of those who have an interest in bribery and khutput making, to represent me as having given umbrage to the higher civil officials by my crusade against corruption, and to remind the natives that I am a mere soldier, liable to be called away and superseded by those whose views are very different from my own.

79. Be this, however, as it may, whether under the influence of Keshow Row, or his own spontaneous act, Mr. Andrews did offer me the insult referred to—and that insult I left unnoticed simply because I believed it proceeded rather from Keshow Row than from Mr. Andrew—on the 10th September I replied (H.) to that gentleman's letter of the 6th, and to the utmost of my power I complied with his several demands. In reference to his request to be informed distinctly what sum I believed Larcoba to have obtained, I thus expressed myself: "On this and every other subject I have already given you all the information I possess, for of course I reserved nothing to be revealed afterwards, neither have I anything further to say in support of my belief that money was received by Larcoba and the woman than what I have before said, which was this" (quoting from para. 4 of my letter, dated 31st August, already given in para. 72). In reply to his demand to know by whom I was informed that the memorandum referred to a Surat case, I again, in the clearest language I could employ, told him how matters stood; and I then corrected what appeared to me his misapprehension of what I had previously stated: "But that was the information given, a supposition that the money must have been given in reference to a very important case at Surat. I did not say that I was informed that this translation had reference to a case that was about to come before you at Surat; my words, in my letter of the 15th ultimo, were, neither was it supposed to have any connexion with the latter (Baroda), but with a very important case at Surat," &c.

H.

80. Again, on the 11th and 16th September (J. & L.), I wrote to Mr. Andrews, supplying to him the points of information sought for in his letter of the 6th, which I had been unable previously to obtain.

J. & L.

81. In reply to these letters, on the 18th September (M.), Mr. Andrews addressed me in a style so insulting, that I was compelled to call on him* to withdraw several of his expressions, and to intimate to him that henceforth our correspondence must be purely official. For I could no longer submit to be addressed in language which would have been unjustifiable had I been a pettifogging attorney, promoting a suit against Mr. Andrews himself.

M.

Letter dated 21 Sept., N.

82. I observed with pain that Mr. Andrews' discourtesy, which had throughout been sufficiently marked, did not reach its climax of downright accusations of dishonesty till he had learned that I had no means of proving the guilt of his clients, and till I had expressed my belief that it could only be proved by the confession of Baba Nafra or his son; a confession which his clients themselves knew right well would never be rendered. Though he had been over and over assured by me that friendship for himself had inspired my first letter, though he knew the hasty manner in which that letter had been written, though he was fully aware that I was not acting the part of prosecutor, and that all my letters, save the first, had been merely elicited from me by his queries, his explanations, and his demands for further information, he actually charged me with playing fast and loose with him. For when he pronounced the ampler information I gave him on the 15th August, to present a "painful discrepancy" with the scantier contents of my first letter, he seemed clearly to imply, either that I had purposely withheld information in my first communication, or that, in my second letter, I had given expression to an afterthought; and this, notwithstanding the full explanations he had previously received, and the circumstantial details with which these explanations had been accompanied; notwithstanding that he had been made acquainted with the feelings of delicacy which had prevented me taking the deposition of the goomashtas at the moment of the discovery of the memorandum; notwithstanding that he was in receipt of these depositions, subsequently taken at his own request; and notwithstanding my assurance that, in the deposition

sitions much was suppressed which had been previously spontaneously spoken. He did not rest satisfied with saying that originally there appeared a "painful discrepancy" between my first and second letter, but he declared that a sense of this discrepancy was still (18th September) actually present in his mind, a discrepancy which was "most incomprehensible" to him, and one which he would "be glad if I could consistently clear up." And this extraordinary state of his own perceptions he professed to justify on an equally extraordinary erroneous statement of matters of fact. He thus expressed himself:—

"Your first note, and copies of the memorandum of accounts, and Sumbooram's yadee were calculated to mislead me into the belief that the items found in the memorandum of account were connected with Baba Nafra's or Hurry Bhugtee's affairs. They made no allusion to other supposed matters, and as the strange descrepancy of the dates struck you at the time, as you say, as perfectly irreconcileable with the charges founded thereon, and led you to make inquiries thereon, it is most surprising to me why that inquiry and its results were not communicated in your note, or the yadee, which from its style appears to be a record of the result of what inquiries were made at the time, or that they should not have been in any way alluded to therein. This is most incomprehensible to me; and, as the case now stands, there is, in my mind, a painful discrepancy between your first note and the yadee, and your subsequent assertions regarding your inquiries about the dates at the time, which I shall be glad to see cleared up. In the second place I would observe, on the ready manner in which you appear to have adopted the vague and inconsistent explanations given you to account for the discrepancy of the dates, so utterly contradictory and worthless as they were, a friend would have spurned them in disgust, at least I should have done, had I been acting as you profess to have acted towards me; and, had the indignation been shown as well as felt, the false constructions of words, and far-fetched, unwarranted, and infamous conclusions drawn therefrom, would never have been hazarded."

83. In reference to this very curious paragraph, which ignores all my communications between the 13th August and the 16th September, I have only to observe, that it makes a positive misstatement of facts. I never was guilty of such an untruth as to say that the "strange discrepancy of the dates" (*i. e.* the date of the memorandum and the date of Mr. Andrews' departure from Baroda) "struck me as perfectly irreconcileable with the charges founded thereon." What I said was, that the date of the memorandum showed me that it could not refer to a Baroda transaction; and that, as I did not then know that Mr. Andrews was supposed to be susceptible to irregular influences in his judicial capacity, I had pointed out to the goomashtas, that at the date referred to he had left Baroda. The charge, or rather the suspicion, I founded on the memorandum, after the goomashtas had expressed themselves was, that a "blackguard use" had been made of Mr. Andrews' name by Doolun, Larcoba, and Moongajee, and that the particular transaction referred to in the memorandum was one relating to a Surat case, in which they had turned to their advantage the belief arising from the blackguard use they had been in the habit of making of his name.

84. What Mr. Andrews' feelings or objects could have been, when he penned the extraordinary paragraph above quoted, is all the more incomprehensible from the attempt he made on the 3d of October (Q.) to explain and justify it. Q.
He thus wrote: "It is most unfortunate that you failed in your first note and Shumbooram's yadee, to give me even the scanty (though with reference to the depositions you sent to me, apparently erroneously) information contained in your subsequent letters regarding the supposed object of the payment in question, which could alone have given me any concern as regarding Moongajee, Larcoba, and the woman, as explained in my first note. Had you been more explicit, much of this unfortunate correspondence might have been saved, as I should have been more excited by your information, and you would probably have had no cause to complain of my lukewarmness in the matter. As you have now explained your reason for that omission, though I confess I do not fully concur in its sufficiency, I quite willingly and gladly retract the term you complain of, in so far as it implies anything offensive."

85. It was unfortunate that I did not give in my first note all the information

subsequently given; but how the fact of my having written too briefly and too delicately at first should justify Mr. Andrews, after receiving "the information contained in my subsequent letters," in professing still to regard the difference between a hasty note and a more elaborate reply, a "painful discrepancy," "most incomprehensible" to him, is a matter which I have failed to solve. And equally incomprehensible as it is to me how any greater amplitude of detail in my first letter was likely "to excite" in any such direction as I could have wished, a gentleman who took on himself to pronounce my suspicions utterly unfounded, at a time when, as he confesses, he had not the means of forming any opinion regarding their value, and when, by his own admission, he was "quite at a loss to imagine what case was referred to," and who not only went on to the last pursuing a systematic course of the purest professional advocacy on behalf of the objects of my suspicion, but continued to assail me with the utmost discourtesy for expressing these suspicions, notwithstanding he was in possession of the information, which he says, if given in my first letter, would have "excited" him, and saved me from his subsequent acts of epistolary rudeness.

86. In apparent oblivion of the origin of our correspondence, unmindful of the fact that I had made no public accusations whatever, but had simply, in a private confidential letter, expressed out of regard for himself, certain suspicions that had distressed me; forgetful of the circumstance, that it was he himself who had communicated my suspicions to the suspected parties, and that too at a time when to do so was to render subsequent investigation almost hopeless; overlooking the fact that he had made up his mind as to the innocence of these suspected parties, before he knew the nature or the amount of evidence that might be made available; disregarding all these facts, Mr. Andrews assumed, in his letter of the 18th September, that he was the last man in the world to smother inquiry, but that "it was equally a characteristic of his conduct to shield those whom he had long known as persons of tried integrity against charges as unsupported by a tittle of evidence as those brought against Moongajee and Larcoba. My experience," he adds, "in the service has satisfied me of this, that there can be few measures more injurious to Government, as being calculated to lower the respectability of our native service, than to accuse on light and insufficient grounds parties whose honour and integrity have been tried and proved throughout a long period of service, and which have obtained for them the esteem of their superiors, men of undoubted talent and discrimination. To accuse such men, except on the most convincing and irrefragable proofs and facts, is I think a fatal error, and against such accusations, against such characters, I will always set my face."

87. Whether I was justified in entertaining the suspicions I did, or whether it was not my bounden duty to communicate them to Mr. Andrews, are points on which I with confidence appeal to the Right honourable the Governor in Council. I have little doubt his Lordship will consider that, while the interests of Government are undoubtedly injured by bringing unfounded accusations against native servants, they are likely to receive a vastly greater deterioration from the adoption by a British Judge, of the course of proceedings Mr. Andrews has seen fit to pursue, in the matter of my suspicions regarding Doolun, Larcoba, and Moongajee, and that too whether my suspicions are correct or erroneous.

88. So far was Mr. Andrews from promoting a stern truth-searching inquiry, in his letter of the 18th of September he complains that I did not spurn with disgust the opinions of the goomashtas (to the effect, that money had been taken by Doolun, Larcoba and Moongajee, under pretence of influencing that gentleman). "At least," he adds, "I should have done so had I been acting as you profess to have acted towards me; and had the indignation been shown as well as felt, the false construction of words, and far-fetched, unwarranted and infamous conclusions drawn therefrom, could never have been hazarded."

89. When Mr. Andrews penned this, he had been more than once assured that I did spurn with disgust the opinions of the goomashtas so far as these opinions implied his own venality; and he knew that it was because I saw that opinions regarding himself, which I spurned with disgust, were actually entertained by the goomashtas, that, with the view of showing the injustice of these opinions,

I communicated

I communicated to him my suspicions that a "blackguard use" had been made of his name, never doubting that he would write and implore me to enter on a minute and thoroughly searching inquiry. When, therefore, Mr. Andrews thus wrote on the 18th of September, I do not see how any candid English scholar can interpret his language otherwise than into an intelligible intimation that I should have pleased him more had I scowled the goomashtas into silence, telling them never to repeat such opinions in my presence, than by adopting the course I actually pursued; the object of which was to prove to them the falsity of opinions which I saw were too strong to be removed by any expression of my own sentiments. Whether the memorandum in dispute was pertinent or not, is nothing to the point; it might have been as illusive as I believe it to be significant of rascality. It was but the accident which evoked the goomashtas' opinion, and that opinion appeared to me too painfully specific of views to the prejudice of Mr. Andrews' moral character.

90. Let this be taken into consideration, let it be borne in mind, that a long explanatory correspondence on my part had fully enlightened Mr. Andrews as to the motives which originally induced me to address him, and of the circumstances under which I had penned my letter. Let it be remembered that Mr. Andrews was an old judicial officer, who could not be ignorant that making a blackguard use of gentlemen's names was far from unusual in Guzerat. Let these circumstances be held in recollection; and I feel certain, that while no intelligent Englishman will attach a meaning to Mr. Andrews' words different from that I have placed on them, no honest man will say that, in writing as he did, Mr. Andrews did not write under a most incomprehensible misconception of the real bearings of the case.

91. That misconception consisted in his, from first to last, and in spite of all I could write to the contrary, assuming that it was impossible I could fail to suspect him of accepting bribes. At all events, he assumes that I encouraged such a suspicion, and had given it the "official sanction of my signature," and (as he erroneously states) placed it on the records of the residency. How Mr. Andrews was led into this grievous logical error; how he came to conclude that to demonstrate the guilt of Doolun, Larcoba and Moongajee of having received money under false pretences, would be equivalent to demonstrating that they were innocent of having made any false pretences whatever; and that, if they did receive money under the pretext of influencing him, he himself must have been privy to the transaction,—these are matters with which I have nothing to do. But I have undoubted right to complain that Mr. Andrews should have continued to the last to put forth such logical fallacies in spite of all my exposures of them; and that under the influence of these fallacies he should have conducted his defence of the suspected parties as if they had one common interest, addressing me as if I had been their common assistant.

92. Yet such were his tactics; as has been seen, at a time when, as he confesses, he knew nothing whatever of the matter, without waiting to ask explanations or to seek information, he pronounced an unhesitating acquittal. His next step was to apprize the suspected parties of my suspicions, and the grounds on which they rested, thus enabling them to take steps to baffle any inquiry that might be instituted. And, not satisfied with taking them into his councils, he sought the co-operation of a relative of Baba Nafra's, and the son of a man against whom I was prosecuting charges connected with the Baba.

93. Once taken into his councils, no amount of prevarication on the part of those with whom he professed to make common cause sufficed to make Mr. Andrews suspect he was in bad company; while no amount of assurances on my part could satisfy him of the purity of my motives, or of the perfect good faith of my procedure. And these are points forming so marked a feature of Mr. Andrews' conduct, that it is necessary for me to afford one or two illustrations of the truth of my assertion.

94. In my first letter, writing on the strength of the information given to me by the goomashta, I told Mr. Andrews, that that information, coupled with Baba Nafra's memorandum, implicated "Larcoba, formerly in your office, and that his uncle Moongajee, who is under you at Surat, and who, I am told, were protégés of yours"

95. In reference to this alleged relationship, Moongajee wrote: "Larcoba is not my sister's son, nor is he related to me on the paternal or maternal side." He wrote in English; and I feel satisfied that no straightforward Englishman, receiving such declarations in reference to the previous employment by him of the word "uncle," could fail to conclude that Moongajee meant to convey to his mind the impression that no family ties united him to Larcoba. I had never used the expression "sister's son" as indicating the relation borne by Larcoba to Moongajee. I simply had gathered that the one was uncle to the other; I had never considered whether the word, as employed by the goomashtas, corresponded with the English word "uncle," or with the compound word "uncle-in-law," and it was quite immaterial which of the two was the connexion subsisting between Larcoba and Moongajee, the context of my note clearly showing that the connexion was only referred to incidentally. My reference to it could not possibly be deemed, by any disinterested man, to imply more than that I understood the two individuals suspected of improper collusion to be also bound by family ties; and it is impossible for me to believe that it could have appeared otherwise to Mr. Andrews.

96. Yet that gentleman, though he knew right well that Moongajee's wife was the aunt (father's sister) of Larcoba, did not hesitate to send me the declaration of Moongajee above quoted, which was so admirably calculated to lead me into the belief that the assertion of Moongajee being Larcoba's "uncle" was as utterly devoid of truth as another assertion which had been made to me, but which Mr. Andrews indignantly denied, to the effect that that gentleman had driven Moongajee about in his carriage. This latter assertion, Mr. Andrews' simple denial of at once satisfied me must be an error in fact; and on receiving Moongajee's letter, which preceded Larcoba's, I should have had as little doubt that the former assertion was so likewise, had I not been previously assured, on authority which could not be doubted, that though no "blood" relationship subsisted between the two, they were connected by marriage in the manner I have described; and never believing Mr. Andrews capable of sanctioning such a piece of verbal quibbling, I drew his attention to it as one ground for doubting whether he had not greatly over-rated Moongajee's honesty. Mr. Andrews, however, took quite a different view of the matter. He expressed no regret that Moongajee's language should have conveyed an erroneous impression to my mind; on the contrary, he seemed rather to think that Moongajee had done well in expressing himself as he did; for he told me, that that individual's "guarded language regarding his connexion with Larcoba was quite consistent with the most perfect truth." And so, indeed, it was literally true, for they were not related by blood; but it was substantially a gross falsehood, for they were united by strong family ties, and that was all that my allusion to their connexion could, on an honest interpretation, be supposed to refer to. But though the "guarded language" of Moongajee found an apologist in Mr. Andrews, when I complained of its deceitfulness, I did not at the time think that gentleman could have been as well aware as Moongajee himself of its guardedness, at the very moment he transmitted it to me with a view to satisfy me of Moongajee's sensitive honour. Yet such was the case. So little, however, did I believe Mr. Andrews capable of such conduct, that I thought he might still have doubts as to the correctness of what I had written on the 15th August, as to the connexion between Larcoba and Moongajee; and accordingly, on the 31st of that month, I furnished proofs to satisfy him on the point.

97. But it was unnecessary: no such proofs were required. That Mr. Andrews, when he sent me these assurances of Moongajee's, was well aware of the actual connexion subsisting between them, is thus admitted by himself, in his letter of 18th September, the letter in which his discourtesy reached its climax, and which I therefore requested might be the last private one addressed to me: "I have been all along aware of the connexion existing between Larcoba and Moongajee; there could not have been any sinister object, therefore, in their answering the charge of their relationship in the manner they did. They honestly confined themselves to denying the degree of relationship in which they were said to stand, and the manner in which they did so naturally implied that they were in some other way connected."

98. Painful as it is to criticise a brother officer's statements, and that brother officer

officer one holding an exalted judicial position, I feel that I should signally fail in my duty did I not expose the fallacies contained in the foregoing quotation.

99. In the first place, Mr. Andrews talks of Moongajee and Larcoba being charged with a relationship, as if it had been imputed to them as a crime that a relationship subsisted between them, instead of my allusion to their connexion having, as Mr. Andrews well knew, been only incidentally made, when referring to what I believe was a positively disgraceful alliance. In the second place, it is not true that "they honestly confined themselves to denying the degree of relationship in which they were said to stand." I had never called Larcoba Moongajee's sister's son; I had said that Moongajee was Larcoba's uncle, as in writing to an Englishman I should still say, though apprized of the real nature of the connexion. And far from confining himself to denying that Larcoba was his sister's son, he went out of his way to deceive me as to the actual connexion between them, by using language which was calculated to impress on my mind, as it has impressed the minds of all to whom I have shown his letter, that he wished me to believe that no connexion whatever of a family kind united him to Larcoba. Moongajee's letter was dated the 8th of August. On the 15th, I despatched my letter commenting on its dishonesty; and on the 23d of August Mr. Andrews sent me a letter from Larcoba, bearing date the 12th, in which that person declared he "was not 'bhanej' of Moongajee, as stated by the goomashtas." As Shumbooram's summary made no allusion to any supposed relation between Moongajee and Larcoba, and as I had only called the former "uncle" to the latter, Larcoba's assumption that the goomashtas must have used the term "bhanej" was at least curious. And still more curious is it that Mr. Andrews should, from Larcoba's denial of a particular relationship, never specified by me, and from Moongajee's declaration that he was not related to Larcoba, "either on the paternal or maternal side," draw the conclusion that they both meant to imply that they were connected in some way I had not guessed. And why should the matter have been left to implication? Why should their language have been guarded? And, above all, why should Mr. Andrews have first tolerated such "guarded language," and then have defended it, on the score of its being literally true, when its substantive incorrectness was complained of? I was not an Old Bailey attorney, trying to entrap them into an unguarded expression, to be hereafter turned against them; I was a British officer, corresponding with a British judge, on a matter affecting the honour of British justice. And yet the British judge who adopted this tone to a British officer, charged like himself with maintaining the prestige of British justice, does not shrink from charging that officer with "painful discrepancy," because, in correcting a hasty and erroneous assumption of the judge, he, in a second letter, apprizes him of circumstances which, partly through haste, and partly through delicacy, he had slurred over or omitted in his first.

100. Mr. Andrews chooses to assume, that because he himself knew that Larcoba and Moongajee were connected, they could not possibly have had a sinister motive in withholding from me the entire truth. What other than sinister could have been their motives? Why needlessly volunteer any explanation at all? I had asked for no explanation, yet Moongajee uninvited treated me to one undoubtedly calculated to mislead me; one which occupied as much space as would have sufficed to convey the entire truth; and one, moreover, not merely calculated to deceive me on the point to which it referred, but to make me believe I had been the victim of a wholesale deception, seeing that Mr. Andrews had already assured me that my informants had, in one respect, said the thing that was not, in reference to Moongajee's driving in that gentleman's carriage.

101. I shall only trouble the Honourable Board with one other illustration of the gentleness with which Mr. Andrews has continued to regard the equivocations of those whom he from the first assumed to be innocent, and whom he has continued to defend on the declared ground that he and they have one common cause.

102. Baba Nafra's private memorandum so frequently referred to, indicated the sum of 3,100 rupees, as the sum given either to Larcoba himself, or to him and the woman supposed to be Mr. Andrews' concubine. But the figure "3" was crossed out (thus ~~3~~,100), and as other similar erasures occurred in the

memorandum, the opinion of the goomashtas was that these were designed still further to mystify the accounts, and to render them unintelligible to any but the Baba himself. Be this, however, as it may, Mr. Andrews, whether correctly or not matters not at present, assumed that 100 rupees were all that appeared against Larcoba; and in his zeal for his client, he made the following humane suggestion, "I know that shortly before I left Baroda, his (Larcoba's) nephew, Mancoba, was living with him, and gained a livelihood by writing for poor Jermyn, Adjutant 2d Grenadiers and Natives, and perhaps these 100 rupees were paid on his account."

103. The suggestion was, as I have said, humane; it was certainly offered in the genuine spirit of advocacy; for the giving in one lump the sum of 100 rupees as a remuneration for copying English to an Adjutant's writer, whose monthly pay could not exceed 30 rupees, seemed to denote an English correspondence rather more extensive than a native banking-house was likely to be engaged in.

104. The letter containing this charitable suggestion bears date August 23, and it is a curious coincidence that to the letter is added the following postscript, dated August 24: "This morning a note was received from Larcoba, stating that he had a slight acquaintance with Baba Nafra's son Anna, who wanted him to teach him English, which, however, he (Larcoba) declined; Larcoba had allowed Mancoba to copy some papers for Anna, for which he (Mancoba) was paid, not being in Government service; that he (Larcoba) did not mention this in his first explanation, as he did not suppose it had connexion with the sum of 3,100 rupees he was to account for."

105. Had I been as ready to impute discrepancies to Mr. Andrews as he to me, I might allude to the fact that this curious "note" from Larcoba was not sent to me in original, as all the other letters seemingly exculpatory of the suspected parties had been; one of them, indeed, with such hot haste, that Mr. Andrews was obliged to ask me to return it, as at the date of its despatch he had not even had time to take a copy. But I do not choose to lay stress on such matters; it is enough that Larcoba's note, which reached Surat on the 24th, should so curiously tally with the friendly hypothesis of Mr. Andrews, dated the 23d August; and my wonder on receiving Mr. Andrews' letter was, that in communicating to me the substance of Larcoba's note, it should not have occurred to him that that individual's explanatory admission bore a trifling air of inharmoniousness with his declaration of the 12th August, to the effect that "not a single rupee had reached him directly or indirectly through the firm of Hurry Bhugtee." This implied admission that money had been paid through him, or in his name, to his nephew, would, I think, to any one not imbued with an advocate's zeal, have appeared to imply quibbling on the part of Larcoba, for far from saying that he was not cognizant of the money having been paid, he merely accounts for not having previously alluded to it, on the grounds that he did not think it was included in the 3,100 rupees supposed to have been given to Doolun and himself, which he somewhat adroitly hints that he individually "had to account for;" and the suspicion that Larcoba had resorted to quibbling might, I think, have been all the more naturally present to Mr. Andrews' mind, from the fact that while Larcoba had in his letter of the 12th August solemnly declared he "neither had any personal acquaintance with Baba Nafra or any other goomashtas in the employment of that house," he now admitted that he had a slight acquaintance with Baba Nafra's son Anna, one of the goomashtas of the house, and an individual, I may mention, whom I had convicted of being the bearer of bribes to my native agent.

106. But Mr. Andrews detected no traces of quibbling in all this; he however wrote a letter to Larcoba's nephew on the 24th September, desiring him to tell "the whole truth" regarding the transaction of the 100 rupees. In reply, Mancoba, on the 3d October, declared that Anna, with whom he had "a good acquaintance," often came "to him, and one day asked him to copy out in duplicate an English report of the arbitrators of Hurry Bhugtee, which was brought with him, promising him a good reward for his trouble." Before, however, the "good reward" reached him, Mancoba declares he had been called away on duty to Surat, from which place he addressed Anna, desiring him to pay the promised reward to Larcoba, which he had. But proceeds Mancoba, "I am not informed by Larcoba what amount paid for my trouble, but only acquainted by

by a letter that he deducted the amount of my trouble from the amount which I owe him on account of lodging me about three or four months, and bought for me some articles during my residence with him at Baroda."

107. If there was one word of truth in Mancoba's statement, if Larcoba did really receive the "good reward" of his nephew's services to Baba Nafra, appropriating it to his own use, without even informing its legitimate owner of its amount, it must, I think, be obvious to the Honourable Board, that Larcoba gratuitously told a gross falsehood, when, on the 12th August, not satisfied with denying that he knew aught of, or had any share in the 3,100 rupees referred to in the memorandum, went out of his way to declare that not a single rupee had ever reached him, directly or indirectly, from the house of Hurry Bhugtee. But so far from this being obvious to Mr. Andrews, that gentleman, in addressing me on the 12th October (T.), transmitting Mancoba's letter, and other documents, expressed his conviction that the result of a careful consideration of all these papers would convince me that my suspicions had been groundless. T.

108. Far from conveying that impression to my mind, they only tended to confirm my suspicions, and the letter of Mancoba only made me more satisfied that Larcoba was a dishonest man, whether guilty or not of the particular act of foul conduct attributed to him. For when I received Mancoba's letter I had already seen the examinations of Baba Nafra himself, taken by the Durbar. The Baba being asked, at Baroda, on the 13th August,* 10 days before Mancoba's name was imported into the discussion, and on the day succeeding the letter in which Larcoba (at Baroda) had hazarded the assertion that not a rupee had ever reached him, directly or indirectly, from the house of Hurry Bhugtee, thus deposed :— * App. No. 6 A.

"The money was paid to Larcoba on account of some English petitions sent to Government regarding the case of Gungadhur Shastree and Bhasker Row Wittul; also for making copies thereof." Again, on the 10th of October, when asked by the Durbar what necessity there was for giving 100 rupees to Larcoba, as remuneration for copying some English papers, seeing that for that sum he could get a book written, he replied, "It was not for the actual amount of writing that the money was paid, but the urgency of the case was taken into consideration; he (Larcoba) was not my servant, and I was anxious to get the work done." When asked if he would have given as much to any other English writer, and if not, why so much was given to Larcoba, he replies, that "He wanted a translation, for which it requires a man to be well acquainted with the English language. I heard," he proceeded, "Larcoba, of the Residency Office, mentioned as a clever man, and I sent my son Anna to him, and he agreed, &c. &c." He was again asked whether, if Larcoba had not been in Government employ, he would have received so much; and his answer was, he would not; that in such case he would have made a bargain with him; "but, as it was, I paid the 100 rupees, without being anxious to get the work done at once." In answer to the question, whether he ever employed Mancoba to copy or translate, he declares "I never before heard of his name."

109. The examination from which the above are extracted, together with a further one taken by myself on the 14th October, I sent to Mr. Andrews on the 16th, and I thought it must be evident to that gentleman that if Larcoba was a truthful man, both Mancoba and Baba Nafra were guilty of falsehood; that if Mancoba's story was correct, those of Larcoba and the Baba were obvious untruths, for each of them had hazarded a statement irreconcileable with the statement of the other two. Yet Mr. Andrews did not see the matter at all in this light; on the contrary, writing on the 23d October (W.), he thus expressed himself: "Suffice it for me to remark, that Larcoba's denial, in the first instance, had reference to the accusation of his having received 3,100 rupees in connexion with Doolun. It is a point for the higher authority to decide how far Baba Nafra's statements support the original charge, or prove Larcoba to be guilty of severely punishable conduct for having received the sum of 100 rupees, admitted by himself. W.

110. Of course it rests with higher authority to determine all the points mooted by Mr. Andrews or myself. But the immediate point at issue which Mr. Andrews chose to evade, was, whether it was not clear that the character for veracity of his client, Larcoba, could only be maintained by pronouncing false the statements of Mancoba and the deposition of Baba Nafra. And it is not true,

as Mr. Andrews alleges, that Larcoba ever acknowledged receiving 100 rupees. He at first emphatically denied ever having received a rupee, directly or indirectly, from the firm: not till several days after it must have been known to Nursoo Punt's son, at Surat, that the Baba had acknowledged giving 100 rupees to Larcoba for writing English papers was Mancoba's name imported into the discussion; and even then the supposition had been charitably placed on record by Mr. Andrews one day prior to the receipt of Larcoba's note confirming it. And further, when Larcoba did confirm Mr. Andrews' friendly hypothesis, he clearly implied that the money had been received by Mancoba, and that it had only reached himself indirectly, as the relative and friend of Mancoba. And yet the very gentleman whose faith in the honesty of his clients was in nowise shaken by such "discrepancies," ventured to taunt me with encouraging the most groundless charges against men of proven probity, while I shut my ears and steeled my mind against accusations against individuals of broken reputation. For, as will be seen from the correspondence, it was part of Mr. Andrews' policy, in vindicating Doolun, Larcoba and Moongajee, to enter into irrelevant tirades against Baba Furkey and my native agent.

111. In concluding his letter of the 23d October, Mr. Andrews assured me, that he "deemed it of no moment whether the latter item (100 rupees) was given to Larcoba or Mancoba, as it was paid for a legitimate purpose; and on a reference to the papers themselves on your records, or in Bombay, it can be satisfactorily proved by whom they were copied." Considering that when he communicated to me Larcoba's endorsement of his own hypothesis, he explained, in justification of Mancoba's receiving the 100 rupees, that the latter was "not in Government service," and that, in urging Mancoba to "tell the whole truth," he encouraged him to do so by reminding him that, as he was not a Government servant, there was no harm in receiving the money, thereby implying that there would have been harm had he been in Government service; considering all this, it appears to me that it was hardly immaterial which of them received the money; still less immaterial was that point, when on its determination depended whether his client, Larcoba, was or was not a dealer in falsehood. And as to the point of penmanship, which Mr. Andrews so ingeniously treats as identical with that of receiving the money, nothing is more likely than Larcoba should have employed his nephew to copy for him, living as he was with him, and in his debt. If Mancoba is to be believed, Baba Nafra has himself declared that he would not have given to any but a Government servant a sum so disproportioned to the value of the alleged services. His son, Anna, at a later date (17th October*), deposed, that to Larcoba alone was the work entrusted, and that to him only, and for his own use, was the money given.

* App. No. 6 C.

112. It may appear that to a matter so unimportant as the disposal of 100 rupees, I have devoted a greatly disproportionable space, but my prolixity and minuteness have not been unintentional. Should the Honourable Board peruse my correspondence with Mr. Andrews, they will see that that gentleman is much in the habit of confounding one point with another, and using language which gives an incorrect idea of the mutual bearing of points. His tendency to this has greatly prolonged our correspondence, inasmuch as I have often thought it necessary to enter at length into explanations; but no amount of explanation or refutation makes him change his tactics; and as in his comments on this letter it is possible that he may continue his style of argument, I have deemed it a solemn duty thus to enter at length into a few illustrations of his manner and tone of advocacy.

113. Hitherto I have confined myself to illustrations of the temper in which Mr. Andrews received my first communication; of the extraordinary conclusion arrived at by him, that his own character could only be upheld by proving the perfect innocence of those whom I had suspected of making "a blackguard use of his name;" of the personal discourtesy with which he chose to treat me in consequence of my having expressed such suspicions; and of the style of very keen and indiscriminating advocacy which he thought fit to adopt in addressing me in reference to the parties who, from the first, he unhesitatingly assumed could not fail to be innocent. I now shall, as briefly as I can, considering the peculiar style of Mr. Andrews' argumentative tactics, endeavour to explain the nature of his more special defence of those with whom he so gratuitously identified his own cause.

114. I subjoin

114. I subjoin a (translated) copy of the memorandum found in Baba Nafra's papers :—

TRANSLATION of a Memorandum of the Debit and Credit from 2d Jest to 5th Assar Sood (June to 17th July).

Dr.

	Rs.	Rs.
Received from Vishnoo Narrain		21 ~~24~~,000 – –*
On Sood 12th (25th June)	300 – –	
On Vud 1st (29th June)	700 – –	
From 4th to 8th Vud (2d to 5th July)	1 ~~4~~,000 – –†	
On 4th Vud (2d) Rs. 350 – –		
On 8th Vud (5th) 550 – –		
On 8th Vud (5th) 3,100 – –		
1 ~~4~~,000 – –†		
On Vud 10th (8th)	650 – –	
On Vud 4th (2d)	14,000 – –	
Assar Sood 5th (17th July)	4,000 – –	
Kitta	350 – –	
		21 ~~24~~,000 – –

N.B.—The erasures in the figures were not shown in the copy of this memorandum first sent to Mr. Andrews.

(signed) *J. O.*

Cr.

	Rs.	Rs.
Paid Paruck Narrain Runchore		18,000 – –
On Vud 4th (2d July)	14,000 – –	
On Asso Sood 5th (17th July)	4,000 – –	
Paid on the 8th (5th July), taken to camp by Anna, for payment to Larcoba		3,100 – –
Ditto - Ooka Lonar		500 – –
		18,600 – –
House expense		2,400 – –
	Rs.	21 ~~24~~,000 – –‡

* In the original it looks as if 24,650 had been formerly inserted, and altered to 21,000.

† This 4,000 is altered to 1,000, but the figure 4 is still legible.

‡ Notes by Mr. Battye, on subsequent examination, after the original memorandum had been returned by Mr. Andrews, on the 24th August.

115. Before proceeding to examine the validity of the conclusion arrived at by the goomashtas and sowcars as to the real meaning of the memorandum, I shall examine some of the pleas put forth by Mr. Andrews with a view to damage their testimony. Mr. Andrews, in one of his letters (*vide* paras. 9 and 10, Letter Q., &c.), seemed to imply that the memorandum had been fraudulently introduced into the Baba's papers by Sumbooram, my native agent, or some other conspirator against the reputation of Doolun, Larcoba, Moongajee, and himself. Sufficient refutation of such an hypothesis would be supplied in the account given by me (in paras. 24, 25 and 26 of Letter R.) of the circumstances attendant on the attachment of Baba Nafra's papers, and of those under which the document in question was brought to light; but the matter is open neither to conjecture nor controversy. Baba Nafra himself, to whom the original document was shown by the Durbar, on the 13th of August,* admitted the memorandum to be his property—to be in the handwriting of his sister-in-law's son, and to have been written for "his own understanding of the items." On the 20th August, when again examined by his Highness, he declared, that several alterations (such as the substitution of 21,000 rupees for 24,000 rupees) had been made at the date of the original preparation of the memorandum; and his testimony was, on the 13th of August, confirmed by the writer of the memorandum,† who acknowledged it to be in his hand-writing, and to have been written and altered as the Baba dictated.

* App. No. 6 A.

Ditto.

† App. No. 6 B.

116. These points were established long before Mr. Andrews, finding that his hypothesis of a fraudulent introduction of the memorandum into the Baba's papers was quite untenable, started a fresh argument, and assumed that the document must have been tampered with, and its figures changed by my native agent, or other conspirators against the reputation of himself and his clients.

117. The date on which the new argument was advanced was the 12th October (*vide* T.), and it was based in a great measure on the fact that the figures originally written appear to have been 23,650, and eventually to have been altered to 21,000, together with the fact that certain portions of the writing were in lighter coloured ink and a smaller hand than the rest.

T.

118. That the original figures stood as 23,650 rupees, and were changed into 24,000, and then into 21,000, is obvious from the entire context of the memorandum, and the arithmetical adjustments it exhibits. But, as a result of the alterations, the figures were so confused that, on the 26th August, six weeks before Mr. Andrews expressed any suspicions of the document having been tampered with, Mr. Battye, who had not studied the balancing of the memorandum, but had merely scrutinized the figures, made a note to the effect that the original figures seemed to have been 24,650.

119. On the 27th September (O.) Mr. Andrews had requested me to send him the original document a second time, volunteering a promise that it should be returned immediately, and, by way of emphasis, underlining the word "immediately." This request was complied with on the 30th (P.), and on the receipt of the memorandum he intimated to me that he had not the slightest intention of fulfilling his promise, on the ground that he was unwilling the "paper, which is the foundation of the charge against Larcoba and myself, should again be put into the hands of your native agent, lest it should be tampered with."

O.

P.

120. Not only did Mr. Andrews seem to imply that the original document had been tampered with, but, as the result of his researches into that document, he gave it as his conviction that, instead of having the original before them, the goomashtas and bankers had pronounced upon a vitiated copy. Like every one of the hypotheses Mr. Andrews has put forth, which in his zeal for the clients with whose reputation he has chosen to identify his own, this was thoroughly erroneous in point of fact. But it is necessary that I should for a moment digress, to explain the grounds on which his convictions rested.

121. When the memorandum was discovered, and when I ascertained the humiliating interpretation the goomashtas put on it, I ordered two copies of that document to be made, one to be sent to Mr. Andrews, and the other to be retained in my office, while the original was sent to the Durbar to have the handwriting identified. The two copies were simultaneously made by different carkoons,

carkoons, and one being placed before me as correct, I signed it, and, in presence of the goomashtas, enclosed it and Shumbooram's summary in my private letter to Mr. Andrews. It unfortunately happened, that though strictly accurate, so far as it went, the copy sent to Mr. Andrews was not a fac-simile of the original, erasures occurring in that document having been omitted in the copy. But trusting to my native agent, I unhesitatingly authenticated it, thereby following the universal custom of public offices in reference to native papers; and not having myself examined the original, I did not perceive that the copy was not its exact counterpart.

122. The fact that the native agent had allowed the carkoon to give me for signature a paper not exactly tallying with that of which it professed to be a true copy, displayed a very reprehensible carelessness on his part, and this carelessness was aggravated by the subsequent equivocation by which he endeavoured to conceal it; for when, on Mr. Andrews pointing out to me that a certain erasure referred to in Shumbooram's summary was not shown in the copy of the memorandum, I spoke to the native agent on the subject; he first maintained that a correct copy had been sent, and this being proved to me to be a mis-statement, he acknowledged that he had not compared it with the original, having trusted to the exactitude of the copying carkoon writing under his own eye. In all this the native agent unmistakeably was to blame. He richly deserved, and he did not escape, severe censure; but that he could have deliberately contemplated a fraud is an hypothesis so widely improbable that only an advocate's zeal could have led Mr. Andrews to entertain it. In the first place, assuming that he wished evil to Mr. Andrews and Larcoba, there was nothing to gain by the fraud. The very erasures which were omitted were by the goomashtas considered proofs of the document referring to irregular transactions, and being only designed for the Baba's own enlightenment, a conclusion which, as the sequel will show, was consistent with fact. In the second place, he knew that my only reason for sending Mr. Andrews a copy was the certainty resting on my mind that that gentleman would insist on an investigation; and in any investigation, the native agent was well aware the original document, not a copy, would be brought into Court. And, in the third place, even had he been fraudulently inclined, and even had the fraud been one calculated to promote any conceivable object, he knew that Shumbooram's summary was to accompany the copy, and as that summary had been publicly read aloud, he was well aware it made distinct allusion to one of the most important of the erasures omitted in the copy; and unless, therefore, he was singularly deficient in common sense, he must have seen that perusal of Shumbooram's statement would expose the inaccuracy of his copy.

123. But these arguments had no cogency with Mr. Andrews, who, on the grounds that the native agent, now 50 years old, was, at the age of 14, an inmate of the Kaira gaol, is thoroughly impressed with the conviction that he must still be a rogue. On this point it is quite unnecessary for me to say anything, seeing that the "Right honourable the Governor in Council does not deem it advisable to take notice of a fact which occurred so many years back, and which Sooruz Ram has since redeemed by a course of able and meritorious service."

124. Nay, as has been already said, not only did Mr. Andrews believe that the copy sent to himself was intentionally incorrect, but he maintained, and still maintains, that the other copy taken was also spurious, and that this spurious copy must have been submitted to the bankers and goomashtas instead of the original. This incorrect averment he still persisted in maintaining, notwithstanding I had assured him, on the 16th October, that "two erroneous copies were not made; and it was the original, not a copy, on which the bankers founded their opinion." Yet, despite this assurance, and notwithstanding that gentleman had been previously informed by me that the goomashtas had been examined regarding the original paper in my presence, he did not shrink from reiterating the untrue assertion on the 23d October, in the following words: "I shall merely observe, that the copies of the depositions (of the goomashtas) authenticated by you distinctly prove* that it was the copy, and not the original yadee that was submitted to the goomashtas when their depositions were taken."

U.

* So underlined in the original.

125. The utter absurdity of supposing that the men present at the discovery of the memorandum, and whose interpretation of it alone led to copies being taken, could have been deceived by the substitution of a copy for the original, is too obvious to dilate on; suffice it to say, that it was the original that was submitted to them, the handwriting of which was identified by Baba Nafra, and the writer thereof could have been withheld from these parties. It therefore only remains for me to state that it was the original, and not a copy, which was first submitted to the Baroda sowcars at their meeting of the 15th August. On the afternoon of that day, after the original had been some time in their hands, I told Gopal Row Myral and the other bankers, to compare it with the copy retained in the office, and, if the latter were found to be correct, I requested them to use it instead of the original in their future proceedings, as Mr. Andrews desired to see the original, and as I intended to send it to him. The comparison was instituted; the copy was approved of; and the original having that evening been despatched to Surat, the copy was subsequently used for reference.

126. One of the internal evidences apparently which, in Mr. Andrews' estimation, the depositions of the goomashtas afforded, that a copy, not the original, was submitted to them, consisted of the fact of their alluding to the sum of 24,000 rupees, which he avers was "nowhere to be seen" in the original, and in their not alluding to the circumstance of the sum appearing to have originally stood at 23,650 rupees.

127. The document itself was called by the goomashtas, Durbar and sowcars, "A yad of 21,000 rupees," in allusion to the totals exhibited after sundry alterations had taken place. One of these alterations, namely, the substitution of 21,000 rupees for a larger sum, which they, like the goomashtas and sowcars, read as 24,000 rupees, the Durbar brought to the notice of Baba Nafra.* It was not only acknowledged to have been made at his dictation, but an explanation, correct or not matters nothing, was volunteered by him of the reasons that had led to the subtraction of the precise sum of 3,000 rupees; that, if (as was the case) the figures were originally 23,650 rupees, they must have been made to assume their larger value prior to the erasure of the 3,000 rupees. It is therefore pretty obvious that Mr. Andrews' eyes had deceived him, or that the paper had been tampered with after leaving Baroda, if, as stated by Mr. Andrews on the 23d October (W.), "the figure of 24,000 was nowhere to be seen" in the original. But Mr. Andrews probably only indulged in a figure of speech, as Mr. Forbes, in the note appended to the copy of the original sent me by Mr. Andrews, when he refused to return the original, thus expressed himself: "This item appears to have been originally 23,650. In regard to the figure 3 there may be some doubt. The item, as it stands at present, is 21,000." Exactly so. The original item was 23,650. This item, by the addition of the smaller one of 350 rupees, would become 24,000 rupees. That additional item actually appears as the concluding one on the debtor side of the account; its introduction is remembered by the writer of the memorandum;† only by its introduction could the original 23,650 rupees have assumed the value of 24,000 rupees, pleaded by the Baba‡ to have originally presented the smaller numerical value of 23,650 rupees. Blurred and blotted and indistinct the figures were, owing to the alteration, so indistinct that, as has been seen, Mr. Battye, on examining the original before Mr. Erskine§ did so, thought they were originally 24,650 rupees—an erroneous opinion, and one arising from his not adding up the several items; but an opinion placed on record long before Mr. Andrews thought fit to contradict me with uncourteous flatness on a matter of fact, long ere that gentleman, in his zeal for his clients, had hit on the tampering argument, or alluded to the figures ever having been 23,650.

* App. No. 6 A.

W.

† Appendix, 6 B.

‡ Appendix, 6 A.

128. When I received Mr. Andrews' letter of the 12th October (T.), assigning his reasons for not returning the original memorandum, I was of course anxious to have that document again submitted to Baba Nafra, that it might be identified

§ Mr. Battye examined the original memorandum immediately after it was returned by Mr. Andrews on the 24th of August. Mr. Erskine examined it after it had been sent back to Mr. Andrews on the 30th of September.

fied in my presence, and that I might obtain his assurance that its items, as it now stood, were as they stood when the paper was first shown to him, and I was not without hopes that Mr. Andrews would still enable me to do this. In the meantime, however (18th October), I sent for the writer of the memorandum, and having ascertained from him that he still adhered to the story he had given to the Durbar on the 13th August, which was read over to him, I asked him what the original was which had eventually been changed to 21,000. His answer* I subjoin:—"The yad was prepared as desired by Baba Nafra, but as I did not distinctly hear the amount the Baba told me to write, something more or less was entered in it, which was subsequently corrected upon Baba telling me. This I recollect, but I do not remember what the original amount was." Of the meaning of the alterations and erasures he professed to know nothing, but the copy submitted to him (that sent to me by Mr. Andrews in lieu of the original) he pronounced to be "like the original;" he detected no alterations in it; its erasures he professed to have made at the Baba's dictation, and he recollected introducing the item of 350 rupees, the last item entered on the credit side, and the sum which, as has been seen, was required to bring the 23,650 rupees, the sum to all appearances originally inserted, to 24,000 rupees; the figures, as understood by the goomashtas and the sowcars, as well as the Durbar, and those which the Baba admitted to have stood till the erasure of 3,000 rupees, caused them to assume the ultimate form of 21,000 rupees. In reference to the alteration in the colour of the ink, I put a question to him, the precise terms of which I forget, but into which the carkoon has, I see, introduced a portion of the deponent's answer suggestive that water had been mixed up with the ink. Mistakes of this kind (like a similarity of language in different deponents' answers, when written down by the same scribe) are, I need not say, incidental to the system of taking native depositions. The mistake I did not perceive till the deposition, having been read over before me to the deponent, and been acknowledged by him to be correct, was handed to me for signature. I did not think it necessary to have it rectified at that stage, for I do not suppose that any one will suspect me of intentionally putting leading questions to a witness; and even were I liable to such a suspicion, the whole tenor of the evidence shows that the suspected alterations were made by the same writer at one and the same time, and that all were necessary to make the sums tally, and bring them into the conditions in which the Baba admitted he intended them to stand at the completion of the preparation of the memorandum.

* App. No. 6 B.

129. Mr. Andrews' letter of the 23d October showed me that there was no chance of my receiving back the original, and therefore no possibility of being able formally to prove, by the depositions of the several parties, that the document, as returned by Mr. Andrews, was in all respects the same as when previously inspected by them. I, therefore, on the 28th, had the writer once more before me, to prevent the possibility of any mistakes occurring. The witness was asked if, in the original, as shown to him by the Durbar, he observed any entries in the handwriting of any but himself, and he distinctly deposes to have made all the alterations appearing on the document in question.

130. Such are a specimen of the pleas which Mr. Andrews went out of his way to urge in behalf of his clients, after having been assured by me (Letter C.), that if he was satisfied of their innocence, it was not my business to take any steps against them. His mode of urging these pleas was so unwarrantably coarse and uncourteous to myself, and involved such serious charges not only against myself, but against every human being whom he conceived to doubt the probity of Doolun, Larcoba, and Moongajee, that I have been compelled to submit Mr. Andrews' arguments not only to the goomashtas, sowcars, and Durbar officers, who are thus aware of the peculiar nature of the various defences set up by that gentleman in behalf of his clients, and of course draw their own inferences,—it rests with the Honourable Board to determine whether, under the circumstances of the case, these inferences can fail to be to the discredit of the British administration of justice. But much more remains to be told.

C.

131. As regards the suspected parties themselves, the truth will probably never now be reached, a circumstance hardly to be wondered at, considering Mr. Andrews' peculiar mode of procedure. There are, however, grounds for arriving at an approximative judgment. These have been obtained in no

attempts on my part to establish the guilt of the objects of my suspicions. They have been forced on my notice in my endeavours to demonstrate the injustice of the taunts and charges Mr. Andrews has indulged in against myself and my establishment; and as an intellectual imbecility which could not detect conspiracies, a fanatic impetuosity against corruption which overlooked improbabilities, a prejudice which refused to listen to arguments, and disingenuousness displaying itself throughout, have all been charged against me in direct terms or by implication, I deem it my duty to state the case of Doolun, Larcoba, and Moongajee, as it now stands, to show that I am neither the fool, the fanatic, the prejudiced, nor the dishonest man represented; and to show that, in making common cause with his clients, Mr. Andrews has allied himself with persons not above suspicion.

132. The general character of the memorandum, and its inharmoniousness with the public records of the house, left no doubt on the minds of the goomashtas present at the discovery, that it referred to a transaction which not only could not be boldly detailed in the bank accounts, but which required, even when committed to the form of a private record, to be disguised in such a way as to be unintelligible to any save the owner of the record, or those admitted to his confidence. The names on the debtor side of the account were fictitious names. The sums set down as received from imaginary depositors were, by the goomashtas, supposed to represent the money received by the Baba from the parties desiring the administration of bribes, while the sums expended on the credit side were conceived to represent the bribery disbursements; and it was unmistakeably their opinion that the entire document referred to one transaction; that the 18,000 rupees marked down as transferred to Runchore (the Baba's son) were, along with the 3,100 rupees, "taken into camp" by Anna. In opposition to this opinion the Baba declares that the 21,000 rupees were private hoardings, the savings effected on the marriages of his six children (four sons and two daughters) from the sums allowed him by his master for the purchase of jewels, &c., and other matters involved in the celebration of these marriages on each of these occasions; avers that the late Bechurbhaee Samuldass gave him a present of never less than 10,000 or 15,000 rupees for the expenses of each marriage—a story very improbable, seeing that his predecessor, a man enjoying the esteem, friendship and confidence of Bechur Samuldass, only received as head goomashta the sum of Rs. 37,878. 11. 3.* on the occasion of marrying his four children (three sons and one daughter). But for a moment assuming the absurd story to be true, what does it amount to but that on an average he defrauds each of his children of 3,500 rupees? These dishonest savings, we are gravely assured, he (than whom no man living better understands the creative power of money) locked up for many years "in a box," to prevent his children "knowing anything about them;" fictitious accounts, showing the whole sums to have been expended on their several marriages being exhibited to his defrauded offspring. And then, to enhance the absurdity, he tells us, that for the sake of interest, he placed these hoardings in the house of Purshotum Runchore (one of the defrauded children from whom he had heretofore concealed his money in a box), in the name of a deity, and out of his carefully preserved hoardings he, with a generosity in striking contrast to his other conduct, pays a Government servant for work done in behalf of the house of Hurry Bhugtee.

133. Such and thus credible is the Baba's own account of the mode by which the 21,000 rupees came on the memorandum. That it is a memorandum of debit and credit is a matter about which no doubt can exist; that it was prepared under the Baba's own eye, written and altered at his own dictation, and designed for his own understanding, are matters of fact advanced by himself; and that its details are not in harmony with the entries in the bank book, are points admitting of no controversy.

134. The 21,000 rupees which in the memorandum are credited to the deity, "Vishnoo Narrain," under six separate dates, are credited under one date in the office

* Appendix No. 13 shows this amount, as extracted from the chopras; also the entire amount given to Baba Nafra for the marriages of his six children, besides two marriages of a brother, and the marriage of a niece, in all nine marriages; and also for "junnoe," a separate religious ceremony, the whole amounting to 58,400 rupees.

office chopras of Purshotum Runchore, the son of Baba Nafra, and the nominal head of the bank of which the Baba is the principal member. Again, the 18,000 rupees which in the memorandum appears as having been paid to Paruk Runchore (another son of Baba Nafra) in two differently dated items:

On Vud 14th - - - - -	14,000 rupees.
Assood Sood 5th - - - -	4,000 „

are set down in the chopras as having been paid at three different dates, viz.

Vud 7th - - - - -	12,000 rupees.
Vud 5th - - - - -	2,000 „
Assoo Sood 8th - - - - -	4,000 „

Not only in the words of the sowcars (Appendix, No. 7 B.) do "the chopras seem to be made in a confused manner," but they add, "in the debit and credit of the 2d Jest, an item of Assoo Sood 8th is written, and this total balance taken out on the 1st Sood, which is contrary to the usual practice. Further, in this same day-book (Rozmail) four items in the credit side are entered in the month of Bhaderwa, and, subsequently, the words 2d Jest are entered on the top of the original date. Moreover, in the name of Sobaugwuntee 100 rupees is entered in the yad on Vud 8th. The details of this sum, however, cannot be ascertained. In this manner the entries of the yad are confusedly written in the chopras, and the party who made the yad admits of its having emanated from him, therefore more confidence should be placed on the yad than on the chopra; although it is usual amongst sowcars to place greater reliance upon chopras." Appendix, No. 7 B.

135. That the whole thing is a piece of jugglery there can be no doubt, and that the goomashtas were not without grounds for inferring that the 21,000 rupees marked down in the public chopras as being placed at interest at four annas per mensem is, I think, pretty clear, from the fact that the bribe sent by Baba Nafra to my native agent on the 9th of July 1850 was similarly entered on the bank books of Girdhur Samul "as a loan, to be repaid within a month, with interest at eight annas per cent. per month." This mode of concealing his bribery transactions seems to be one of the Baba's tactics, for, as the bankers pronounced, "it appears that Baba is in the habit of debiting other persons with money paid as bribes, in the shape of a fictitious loan, to be recovered with interest." *Vide* Appendix, No. 1, Question 2.

136. But Mr. Andrews, who had from the first made up his mind that my suspicions were unfounded, of course takes a different view of the matter; and professing to disregard the memorandum, he chooses to regard as correct the expenditure of the 21,000 rupees, as detailed in the chopras, on the 15th and 31st of August. I sent him the statements of the sowcars and goomashtas of Baroda, expressive of their opinion that the memorandum was more to be relied on than the chopras, and detailing what I conceived to be "some of the most obvious proofs of the falsehood of the accounts prepared (in the chopra) to conceal the real destination of the 24,000 rupees; but, I added, "sowcars could point out many others which do not at present occur to me." Appendixes, Nos. 1 and 3.

137. Though dwelling profusely on irrelevant matter in the several letters addressed to me between the 15th August and 12th of October, and though availing himself of every imaginable plea to invalidate the conclusions of the goomashtas, on which I had rested my suspicions of Doolun, Larcoba, and Moongajee, Mr. Andrews never attempted to refute or explain the proofs I had furnished to him of the dishonesty of those chopras, on the assumed accuracy of which he finally seemed inclined to rest the defence of his clients. On the latter date, however (October 12th, T.), he forwarded to me "a paper* containing copies of questions founded on the original yadee, and the explanatory depositions you sent me, and of the answers given thereto by the same respectable officers," &c., and so satisfied was he with their replies, that, in allusion to their immense value, he thus concluded his letter: "and as you profess to have been actuated throughout this inquiry by a friendly regard to my character, you will, I am sure, rejoice in finding that their scandalous insinuations have proved utterly groundless." T.

* For translation, *vide* Appendix, No. 7.

138. When I read this preamble, I, of course, assumed that the questions which Mr. Andrews had put to these respectable revenue officers, and their

replies, must be such as to throw a flood of light on the intricate matter of the accounts, and if not to overturn the opinions of the Baroda bankers, at all events to suggest serious doubts of their correctness. But it was far otherwise; so far as I or the Baroda bankers can understand the drift of Mr. Andrews' queries, they not only leave out all reference to the proofs I had submitted of the untrustworthiness of the chopras, but avoid aught calculated to induce the revenue officers to enter into the merits of these proofs. That I do not use stronger language than the case warrants is pretty evident from the following remark of the Baroda bankers, in reference to the queries put to the respectable revenue officers: "The paper containing the questions and answers received from Surat have been shown to us, and after looking at such questions, the questions asked us at this place do not appear to have been put to the dufterdars at Surat."

139. Whether the evidence I had previously submitted to Mr. Andrews, as to the untrustworthiness of the chopras, were submitted to the Surat revenue officers, when their opinion was asked as to whether the chopras or memorandum were most to be relied on, is best known to Mr. Andrews himself. If they were, I can only say, that without disparaging the "respectability," or "independence" of the referees, they did not display much judgment, and, as the points referred to therein involved a knowledge of sowcarry practice and sowcarry modes of interpretation, it seems strange that Mr. Andrews should have selected native subordinates in a revenue office, instead of adopting the obvious course of testing the opinions of the Baroda bankers, by collation with the opinions of the sowcars of Surat. So very strange does this appear to me, that it would almost seem that there was truth in a report prevalent at Baroda, to the effect that Mr. Andrews did seek the opinions of Surat bankers, but could elicit nothing from them in support of the views taken by the respectable and independent revenue officers.*

S. 140. On the 12th October Mr. Andrews sent me the queries addressed to, and the replies given by these officials, and on the 16th I sent him Baba Nafra's examinations, pointing out the confirmation afforded by them to the correctness of the opinions expressed both by the sowcars and goomashtas as to the untrust-
G G. worthiness of the chopras. On the 25th of October Mr. Andrews, passing over all my other arguments, thus fastens on an opinion I had given on the 16th September; I quote the passage not for the sake of specially commenting on it, but to show the style of argument adopted, and to enable me to state an explanation materially bearing on the whole case: "As an illustration of his proceedings, I may mention to you that the corresponding extracts from the ledger of Narrain Runchore and Samul Bhugteedass, brought to me by Nerbheram, distinctly prove that the following statement, in para. 6 of your letter of the 16th of September, is utterly erroneous, and the item of 12,000 rupees, attempted to be accounted for by a similar sum credited to Narrain Runchore, in the Avra of Samuldass Bhugteedass, is proved to have no reference to the item embodied in the 18,000 rupees, as it is not credited in the accounts of Hurry Bhugtee for 1903;" because they (the extracts) "show that not only is the sum of 12,000 rupees, but all other sums similarly debited in Narrayen Runchore's account, throughout the year, are credited in Samul Bhugtee's, and not Hurry Bhugtee's account books. The imperfect extracts that had been first furnished to me from the Avra had not made this point so clear, and surely your native agent does not either understand accounts, or else he wilfully keeps you in ignorance."

141. Had Mr. Andrews said that I myself did not understand native accounts, he would have stated no more than was true; but his implied censure on the native agent was quite unmerited, when I expressed myself as above quoted in reference to the 21,000 rupees. I had already sent (15th and 17th August, 10th and 16th September) to Mr. Andrews the depositions of the goomashtas, opinions of the sowcars, extracts from the chopras, &c.; and in the sowcars' replies sent to Mr. Andrews on the second of the above dates, the following passage occurs:

"On

* As copy of this letter will be sent to Mr. Andrews, I feel that I am doing that gentleman no injustice in stating the prevalence of a report, which, if erroneous, is easily susceptible of disproof.

"On examining the chopras, it appears that 18,000 rupees, debited from 21,000, have been credited to Purshotum Runchore, in the chopras of Narrain Row, and from that sum 12,000 rupees are carried to the debit in Hurry Bhugtee's name, and stated it to be the same item which has been credited to Purshotum Runchore; this sum does not appear credited in the chopra of Hurry Bhugtee, but in that of Samul Bhugtee. The date of this credit agreeing with that of the debit of 12,000 rupees, we say that the item of 12,000 rupees is a portion of the 18,000."* From the first, I had observed a marked disinclination on the part of the sowcars to commit themselves any further than they possibly could help to any opinion unfavourable to Baba Nafra. The question to which the above extract was a reply, they answered (as the proceedings show), not in their own persons, but through their goomashtas, who had not the same professional reputation to maintain; and when I found these intermediate agents assuming that an item, debited in the chopra of Narrain Row to Hurry Bhugtee, must be identical with another item of the same amount debited to Samul Bhugtee—a monstrously unbankerlike proceeding; and when I considered that they arrived at this conclusion simply because these two items bore the same date; and when I weighed their hedging qualification, that the conclusion could not be affirmed "from the chopras," I concluded, as I still conclude, that the items were not identical. But, whether right or wrong, I furnished Mr. Andrews with the means of forming his own judgment, and, if wrong, it only shows how utterly untrustworthy as guides are the chopras of the houses with which Baba Nafra is connected. The mere point of difference itself is of no importance to the main question at issue; and even were it the case that certain entries in the chopras corresponded with the totals given in the memorandum, or even with the individual sums, the suspicions attaching to the confessedly "cooked" memorandum would not be removed; for the chopras themselves are pronounced, both by the Baroda and Ahmedebad bankers, as doubtless they would be by those of Surat, to display irregularities which render them untrustworthy records; and if Government have any doubt on this point, or hesitate as to whether the memorandum or the chopras are most to be relied on as exponent of the real transaction, I would respectfully suggest that these matters be referred to the sowcars of any three towns in India, say Bombay, Calcutta and Indore.

142. Till, however, banking authorities equal to the sowcars of Baroda and Ahmedabad do pronounce the memorandum and the chopras to be in harmony, and the latter to have been kept in a regular and honest manner, I shall still think it more than probable that the memorandum referred to monies received and expended by Baba Nafra, from some party desirous of bribery, and the grounds on which that opinion mainly rests may be thus briefly enumerated:—

1st. It is, by Baba Nafra's own confession, a secret memorandum, drawn up at his own dictation, and "for his own understanding,"—in other words, designed to be a remembrancer of some genuine transaction. It was variously altered during its preparation, as the bankers and goomashtas believed, to make it unintelligible to any but the Baba himself. This is tacitly acknowledged by Baba Nafra; and if it were not, the absurd reason assigned for the reduction of 24,000 rupees, on both sides of the account, is demonstrative of the point, as I have subsequently shown in the 5th section of next para.

2d. It has been pronounced by experienced bankers' clerks to be not in harmony with, and is more to be relied on, than the public account books, which these authorities (both at Baroda and Ahmedabad) pronounce to display irregularities disentitling them to be received as authentic banking records.

3d. The story given by Baba Nafra in explanation of the mode by which he became possessed of the money is outrageously absurd; and as any story told by such a man can only be believed when possessed of inherent probability, and supported by confirmatory testimony, his tale must, I think, by all honourable and sensible men, be rejected as a monstrous fiction.

4th. The

* Moreover, I attached the following note to the extract from Samul Bhugtee's daily account in which the 12,000 rupees is debited: "The above amount, 12,000, does not appear to have been credited in Hurry Bhugtee's chopras."

4th. The manner in which it is attempted to account for the disposal of the money is equally unsatisfactory, the entries to that end in the chopras of the Baba's sons being evidently fictitious, and pronounced untrustworthy by the sowcars.

5th. The 100 rupees debited to "Sobangwuntee Baee Sahib," in the chopras of Purshotum Runchore, represented by Mr. Andrews' advisers as a portion of the 3,100 rupees' item, has no corresponding credit in that or any other chopra, and so damaging is this fact to the pleadings suggested to Mr. Andrews by his sheristedar, that I was urged to bring it to Mr. Andrews' special notice, that is,
F F. to address him a question in reference to it in my letter (F F.) dated 20th October, which question to the present hour he has failed to answer, though replying to less important matters in the same letter.

6th. Unless the memorandum referred to some bribery or other disgraceful transaction, why should a fiction be required to explain the source whence the money was derived? why should irregular practices have been had recourse to in stating the transaction in the public chopras? and why should the items in the memorandum, written and altered for the Baba's own understanding, differ in the veriest trifle from those of the chopras?

7th. Not only is the Baba a man addicted to bribery practices, and one capable (as Government are now fully aware) of almost any degree of human wickedness, but it seems that even in a very recent case (that of my native agent) he has adopted an artifice somewhat similar to that by which it is supposed he endeavoured to disguise the bribe in the present case, marking it down as a loan running at interest.

143. These circumstances, enforced by the general tenor of the reluctantly given evidence of the Baroda bankers, by the confirming testimony of those at Ahmedabad, by the ready interpretation put on the memorandum by the much experienced goomashtas present at its discovery, confirms me in the belief that the memorandum drawn out for Baba Nafra's own understanding, did, as the goomashtas fancied, allude to the receipt and disbursement of sums of money sent to him by some party or parties, for the purpose of bribing another party or parties; nor do I see that any cause for doubting the accuracy of this opinion is afforded by the verdict of the Surat revenue officers, who do not seem to have been aware of the professional opinions of the Baroda bankers, and who had queries submitted to them which not only were not exhaustive of the subject, but did not even touch some of its more important points and aspects.

144. Who then were the parties for whom the bribes were destined? As has been seen, the goomashtas immediately arrived at the conclusion that the larger sum (18,000) was intended for Mr. Andrews, the smaller one (3,100) to Larcoba and Doolun. The first of these conclusions I instantly and indignantly repelled, but I did think it not improbable that the whole money had been taken by the parties named and by Moongajee, under pretext of giving the larger portion to that gentleman; and though I cannot demonstrate the point, I still entertain that belief, and for the following reasons:

1st. The belief in the efficiency of khutput is strong at Baroda, and that Baba Nafra not only entertains, but acts on that belief, are facts regarding which Government have very recently had a striking illustration.

2dly. In attempts to make khutput, it is a matter notorious to the world that it is usual to seek the intervention of subordinates who are supposed to be in the confidence of the officials with whom khutput has to be made; and none are more frequently selected for the purpose of such intervention than the concubine and more confidential underlings of these officials.

3dly. The readiness with which, on inspection of the obviously "secret" memorandum, the goomashtas mentioned Mr. Andrews' name, and assumed that the "Sobangwuntee Baee," whose name appeared in connexion with that of Larcoba, was Mr. Andrews' concubine Doolun, appeared to me to afford a presumption in favour of the belief that these people had been in the habit of representing themselves as eligible instruments for those who wished to make khutput with Mr. Andrews; and though the unimportant position held by Larcoba would seem to forbid the idea that he could be supposed by the natives

to

to be deep in Mr. Andrews' confidence, yet his connexion with Moongajee, and the unusual intimacy which I was told subsisted between that individual and Mr. Andrews, seemed to me, at the discovery of the memorandum, not only to explain how Larcoba was supposed to be influential with Mr. Andrews, but to render it probable that Moongajee had been in alliance with Larcoba and Doolun; for the purpose of receiving money under pretence of sharing it with Mr. Andrews; and though I have since learned that one of the illustrations given me at the time of Moongajee's intimacy with Mr. Andrews was untrue, yet other circumstances have occurred to make me believe that Moongajee is regarded by the native community to possess undue influence with that gentleman. From the deposition of a respectable shopkeeper,* who may be taken as affording an average specimen of the public opinion of this place, it appears that Moongajee's influence with Mr. Andrews is supposed to have led to the turning out of a clerk from residency during that gentleman's incumbency, and the substitution of Larcoba in his place, and also to the introduction into the office of another relative of Moongajee, who proved quite incompetent for the post. Again, a letter received from Surat would seem to give some idea of the views regarding Moongajee's intimacy with Mr. Andrews, entertained by at least a section of the Surat community. In that letter† is stated, "In 1848, when Moongajee not having more convenience to wait on Mr. Andrews every now and then, Kessundass Muccundass, the late second clerk of the Surat Adawlut, was forced, immediately prior to and after his completing 30 years' service, to retire on his pension, and Moongajee became his successor; but Moongajee, to impose upon and convince people the more that Mr. Andrews listens to what he says, made Mr. Andrews to force Cawasjee Shapoorjee, head clerk, to retire on his pension, though he was well able and efficient to serve for several years more; but on the head clerk's raising objections, many threatening expressions were used by Mr. Andrews, which induced the man to go on leave for some period; but when the matter was brought to the notice of the benevolent and justifiable authorities of the Company's Government, he was at once reinstated. Not only these two persons suffered for Moongajee, but a poor man (Pestonjee Pallunjee), fourth writer, is thrown on a pension of 5½ rupees, merely to make room for Larcoba, late deputy-accountant at the Baroda residency, and relation of Moongajee; and several other officers of the Adawlut have shared the same fate. I further beg to observe, what must be the motive of Moongajee (previous and subsequent to being second clerk) in making a trip every morning for about two or three hours to Mr. Andrews' quarters; holding cutcherry at his own house, consulting with the vakeels of the Court, the suitors and others of the Mandavie and other states, also frequenting the houses of Premcour and Muncha, the daughter and widow of the late Doolubhoy Hurgovindass, where he effected a settlement of pecuniary dispute which existed for about 70,000 rupees, in company with Gopal Ruttonjee, a sowcar, and Narrain Hurree Trimbuck, late head accountant of the Surat collectorate. He also every now and then holds consultation with Keshow Row, son of the late native agent at Baroda, Nursing Row Luxmon; and it is said that Keshow Row was in the first week in October, for three nights, from 7 P.M. till 3 A.M. with Mr. Andrews, in addition to his daily visits, which almost last for a whole day."

Appendix, No. 8 B.

† Not dated, but received at Baroda on the 19th October.

145. The letter bears an anonymous signature, as native expressions of real or imaginary grievances generally do, so long as the complainant feels that to make an unresponded complaint is to expose himself to persecution. But the mere fact of its anonymity is no proof that its allegations are untrue. At all events, no proof that the writer does not implicitly believe the accuracy of the allegations he puts forth. Anything disparaging to the moral character of Mr. Andrews I of course reject, but a reference to the Adawlut and other inquiries might perhaps show, that without the slightest impugnment of Mr. Andrews' probity and impartiality, circumstances have occurred, and do occur, to render it probable, in native estimation, that Moongajee does possess a vast influence with Mr. Andrews. In weighing the probabilities of the guilt of the suspected parties,

* Vunmalee Dulub, who was examined on the 1st September, with a view to ascertain the degree of relationship between Larcoba and Moongajee, when it appeared they purposed to deny their connexion.—*Vide* Appendix, No. 8 A.

parties, the uprightness of Mr. Andrews is no element. The thing to be considered is, not whether Mr. Andrews unduly favours Moongajee, but whether that native subordinate has got himself to be viewed as enjoying that gentleman's especial favour. That such is the belief of many both at Baroda and Surat, is a matter of which I have not the vestige of a doubt; and this consideration, coupled with those just enumerated, appear to me to afford *à priori* probability to the suspicions I entertained regarding Moongajee, Larcoba, and Doolun.

4thly. As regards the first two of these two persons the obvious, equivocations they so gratuitously indulged in (*vide* para. 95) at an early period of my correspondence with Mr. Andrews, are certainly not calculated to throw discredit on my suspicions; and as regards Larcoba individually, still less has aught occurred to shake my suspicions. His first absolute denial of ever having received a rupee directly or indirectly from the house of Hurry Bhugtee; his subsequent evasion under the screen of Mancoba's name; Mancoba's story; Baba Nafra's declaration, backed by his son Anna, that Larcoba, not Mancoba, had been engaged to write; that for Larcoba, and not to Mancoba, had the money been paid, and that Larcoba himself would not have received the 100 rupees as a reward for his slender services, had he not been a Government servant. All these features of his case appear to me so unsatisfactory, as to divest my suspicions against him of aught approaching to inherent improbability.

5thly. As regards Doolun, the readiness with which the goomashtas identified her as the "Sobagwuntee," written in connexion with Larcoba, and thence inferred that the memorandum made allusion to an attempt on Mr. Andrews' honesty, affords, I think, something like a probability that she was looked on as one through whom khutput might be made with that gentleman. That she was the identical person alluded to in the memorandum is, of course, not now susceptible of direct proof, and but for Mr. Andrews' discourtesy and overbearing tone, and his fierce and indiscriminating style of advocy,* I should have accepted, without hesitation, his assertion, that "Sobagwuntee Baee" must refer to a respectable married woman, for it was far from my wish to do aught that, by bringing his *liaison* to notice, was calculated to hurt Mr. Andrews' feelings. But the inquiries made have resulted in demonstrating that Mr. Andrews was completely wrong whatever classical usage or Molesworth's dictionary may say to the matter; the term is used at Baroda to designate a kept mistress as well as married woman, though in the latter case the term "Sahib" is appended; and if it was not Doolun, what woman was it that could be thus entered in connexion with Larcoba, for she was so entered in the memorandum written for Baba Nafra's "own understanding," the entries and erasures being all alike made for his special understanding at one and the same time. "Baba Nafra's" story about the 3,100 rupees originally designed for his wife, and cut down to 100 rupees, as the wife did not require it, is too preposterous to be thought of for a moment. In the first place, we are informed by his son, that in making an entry referring to his wife, neither would the Baba in dictating, nor the clerk in entering, omit the term "Sahib." In the second place, the memorandum was "written at once," and a memorandum of sums that had been paid was not very likely to enumerate sums that had not been paid, and only had been intended to be paid; and, thirdly, if it did so, the non-disbursement of 3,000 rupees would not diminish the sums that had been previously received, yet the 24,000 rupees, actually received from the Hindoo deities, that appear on the debtor side of the memorandum, are cut down to 21,000 rupees, according to the Baba's construction of it, for no other reason than that his wife did not require a particular 3,000 rupees; and not only did this change in the pecuniary wants of his wife cause a mysterious disappearance of 3,000 rupees, from an already realized godsend, but in describing that gold annihilating change in her wants, the designation of a wife too much esteemed to be committed to writing without the addition of "Sahib" is unceremoniously lumped (without that affix) with the name of an obscure purvoe. And this lumping up, be it recollected, according to his own and his confidential writer's version, took place, not at different dates, but at one and the same time. Nor would the fact, of sums of money professing to be portions of the 3,100 rupees, being entered in a day-book or ledger, in the name of "Sobagwuntee Baee Sahib," at all diminish my suspicions in reference to a memorandum.

* *s. o.*

memorandum itself so obviously cooked, seeing that the unanimous testimony of the Baroda and Ahmedabad bankers is emphatically to the effect that on the bank books no reliance can be placed. And yet it would seem from his latter communications, that upon some such argument does Mr. Andrews intend to found pleas in favour of Doolun. How the Baba came to indulge in so lame and self-refutatory a story is (like the meaning of the various entries and erasures in the memorandum) best known to himself; but I think it is a surmise far from improbable that the tale was hatched up after he had been apprized of the philological argument as to the application of the term "Sobagwuntee," on which so much stress was laid by Mr. Andrews. In his letter of the 15th August, that gentleman assured me that one of his reasons for at once assuming, on the 5th of that month, the innocence of the suspected parties, was, that the term Soobagwuntee could only refer to a married woman. The Baba's story was told on the 14th of August, and there was ample time between the 5th and 14th for the Baba's relative and Mr. Andrews' counsellor, Keshow Row, to communicate Mr Andrews' strong opinions on the subject; and considering Keshow's relation, not only to the Baba, but to my former native agent, and considering further, that he was not only in Mr. Andrews' counsel, but the friend and associate of Moongajee, there is no reason for supposing he would fail to communicate a view of the matter affording a means of mystification. Be this as it may, such and so absurd is the Baba's statement in reference to the Soobagwuntee Baee.

146. From the considerations just detailed, I am still of opinion that the suspicions entertained by me are not without strong grounds of plausibility and probability; and had Mr. Andrews adopted the procedure I myself should have adopted under similar circumstances, and such as I believe most other public officers would have adopted, I have little doubt the guilt of the parties would ere this have been satisfactorily established, and one blow at least dealt at the prevalent faith in khutput. But Mr. Andrews' procedure most effectually tended to render any investigation hopeless; and as Baba Nafra is not likely ever to reveal the secret bearing of the several items and erasures in the memorandum prepared "for his own understanding," there is no probability of the truth ever being reached.

147. But whether my suspicions against Doolun, Larcoba, and Moongajee were well or ill founded, is a matter of comparatively little importance. These suspicions were forced on my mind in the course of my official duties, and they were communicated to Mr. Andrews from the purest motives, and with friendly haste. The fact and objects of their communication were proclaimed by me in the presence of a large body of goomashtas, who of course repeated every thing to their acquaintances; and thus the native community of Baroda have been led to watch and reason upon Mr. Andrews' proceedings from his first intuitive perception of the innocence of the suspected parties through all the unsatisfactory, and in some cases contradictory pleas he had urged in their favour. They have seen him assail, with the rudest discourtesy, the officer who, suspecting that his name had been abused, hastened to apprize him of these suspicions, and thus to enable him to vindicate himself; they have seen him not only instantly assume the innocence of those parties, but take them into his counsels; and, by apprizing them of the amount and nature of the evidence against them, enable them to defeat any inquiry that might be instituted, and thus pervert justice; they have seen him persist in his unwavering support of the suspected parties, in spite of equivocations which ought to have somewhat shaken his confidence in their probity; they have seen him totally abnegate the functions of judge, and assume those of the eager professional advocate. And they have seen and reasoned on the fact, that, totally ignoring the real nature of my suspicions, and utterly disregarding all my assertions, he has to the last stood forth as an accused party, devoting all his personal energies, and applying the machinery of his court, not simply to prove that no blackguard use had been made of his name, but that he himself had made no improper use of his high position. For to the last he has persisted in mixing himself up with Doolun, Moongajee, and Larcoba, and assuming that to prove them recipients of money would be to establish his guilt as their partner.

148. I have said he has used the machinery of his court in his earnest defence

of the suspected parties. It is so; and the visit of his sheristedar to Baroda forms an episode in the history of our correspondence, to withhold which would be to give the Right honourable the Governor in Council a very imperfect idea of the mischief Mr. Andrews' proceedings are calculated to generate.

149. On the 28th of September the sherishtedar of the Surat Adawlut delivered to me a letter from Mr. Andrews, dated the 21st of that month, which thus announced the object of his mission: "The extracts from the accounts you sent me are not all which I require; and as I cannot obtain the accounts for personal inspection, and it is impossible without a full examination of those which bear on the items referred to in the memorandum you first sent me satisfactorily to clear up the doubts you have thrown on them, and the suspicion I entertain regarding them, I send with this the sherishtedar of my court, Nerbheram Kissowdass, to examine them according to the instructions I have given him, in presence of a committee of sirdars and other principal officers of the Durbar, and to make extracts from them (according to those instructions) which should be authenticated by the committee. As a matter of simple justice to myself and others, I request that you will obtain from his Highness the permission and assistance necessary to the speedy execution and furtherance of Nerbheram's commission."

150. By thus deputing an officer of his court to Baroda, to institute a scrutiny into matters in which (the integrity of my subordinates being questioned) I was interested, without my authority, and without communicating to me the instructions given to his agent, Mr. Andrews adopted so unwarranted and so irregular a procedure, that I should have been perfectly justified had I ordered the man about his business, and intimated a request to the Durbar that no civility should be shown to him. But I did nothing of the kind. Finding that the Durbar vukeel was not likely to be at the residency that day, I directed the native agent to furnish the sherishtedar with a note to that official. The note was written, and approved by the sherishtedar. Its translation I subjoin:

"I am directed by Colonel Outram to write you privately, and introduce you to the bearer, Mr. Andrews' sherishtedar from Surat, by name Nerbheram Kissondass, and to request that you will allow him to examine the chopras of the firm of Hurry Bhugtee, and that established in the name of Baba Nafra's son, as also those of Baba Nafra's private firm, as many as he pleases, before a committee of respectable and influential persons, who should be requested to attach their signatures to any extracts which he may make, after comparing them with the chopras."

151. In providing the sheristedar with such a letter, it will, I think, be admitted, I showed no little forbearance under somewhat insulting provocation. For apart from the abrupt and unauthorized mission of that officer to Baroda, an additional slight to my authority was offered by the request that the sheristedar should hold an independent committee in the city. If the sole aim of that individual was to examine the sowcar's books; and if it had been an object with Mr. Andrews to consult the legitimate dignity of my office, he would have asked me to assemble the committee of sirdars at the residency, Mr. Andrews can hardly plead in behalf of this additional discourtesy, so calculated to become the theme of native inference, that he feared that my mind was biassed, and that its bias would communicate itself to the proceedings of the committee. For in the first place, he has since assured me that he "believes I meant honestly by him;" and, in the second place, it was utterly impossible that any prejudice or mental bias on my part could in the remotest degree influence a mere scrutiny of accounts to which his agent had free access, and from which he was to be permitted to take as copious extracts as he chose.

152. But I did not allow these considerations to influence me. The letter was given, and the sheristedar, accompanied by the native agent on my behalf, proceeded to the city, where he was met by Shumbooram (a relative of his own) deputed by the Durbar to render every assistance. Various delays prevented their being ready for business before 5 P.M.; and as the sheristedar complained of fatigue, further proceedings were adjourned till next day, when business was proceeded with. My note had caused a summons to be issued to five of the principal sowcars and sirdars, but on its being announced to the sheristedar that these persons would speedily make their appearance to sit in committee, he declared

declared he did not require them, as the native agent to represent the Resident, and Shumbooram to represent the Durbar, were all he required; of course no one dreamt of forcing a committee on him, and his scrutiny commenced, and extended over four days. It was soon reported to me, that instead of confining himself to an examination of the items in the chopras strictly relating to the Larcoba affair, the sheristedar was scrutinizing the accounts of several years, evidently with a view to make himself acquainted with the other transactions in which Baba Nafra and Nursoo Punt were implicated. But far from putting a stop to his erratic researches, I gave explicit orders that he should be allowed to examine every document he wished, and extract all he desired, for as Mr. Andrews had not chosen to apprize me of the instructions given to his agent, and as experience had shown me that that gentleman was not very particular as to his arguments, I was determined to do nothing which could be represented as frustrating or limiting the sheristedar's inquiry. The native agent, however, on his own responsibility, with judicious foresight, directed that all extracts taken should be sealed up at the close of each day's proceedings, and placed for security in my hands. This was done in order that a copy of all the extracts taken should be displayed for my information, before the sheristedar departed, and of course in his presence; and the judiciousness of the precaution was soon rendered evident, for the sheristedar having taken memoranda in English (a language unknown to those around him) in reference to cases in which Keshowrow's father, Nursoo Punt, was interested, having no connexion whatever with the Larcoba affair, and having been requested to deposit them along with the rest of the day's extracts, rather than do so, he tore them up, assigning as his reason for destroying them, in preference to allowing me to see them, that they were of no importance. *Vide* Appendix, No. 9.

153. When the sheristedar came to take leave of me, preparatory to his return to Surat, I asked him, in the presence of the native agent, (I think) an attendant of his own, why he had refused the committee. His reply was, that he did not think it necessary. I asked him if he had received every assistance he wished, and enjoyed free access to every document he desired; whether he had found all the extracts sent to Surat correct, and whether all had been sent that related to the Larcoba case. He not only answered in the affirmative to each of these queries, but dealt forth a considerable amount of verbiage, in the shape of expressions of gratitude to the native agent for his cordial assistance, &c. These queries were not put unadvisedly, nor were the replies heedlessly listened to; for what I had heard of the sheristedar's proceedings led me to believe I had a thoroughly unprincipled man to deal with. Had he, at a preliminary examination, discovered any errors or omissions in the extracts sent to Surat, a committee would have been instantly called for, and its testimony eagerly made use of. But otherwise, the committee's decision would only prove a formal and authoritative certificate of the fulness and fidelity of documents he would fain have proved defective or incorrect. His discursive scrutiny of the chopras in reference to matters having no relation to the Larcoba affair, made me anxious to know whether he pretended to have found documents bearing on that point which had not been brought to my notice, and been by me transmitted to Surat, and he unequivocally assured me that none such had been found.

154. On leaving me, the sheristedar proceeded to say farewell to Mr. Battye, who thus records the substance of their conversation: "Mr. Andrews' sheristedar, Nurbheram, came to see me in the office the day before he returned to Surat, and he most certainly assured me that all the items had been furnished to Mr. Andrews from hence which related to the Larcoba case; moreover, that he had found the extracts which were sent to Surat correct. He mentioned that he had taken some more extracts from the chopras, as they would probably be useful; but I did not ask him to what they referred. On my inquiring if the Durbar and Soorujram had given him every assistance, he replied in the affirmative, saying that he had got all he wanted."

155. Yet this man, on returning to Surat, had the audacity to complain that his inquiry was frustrated, and to trump up a series of the vilest falsehoods, cunningly enough interspersed with a mass of trifling and irrelevant circumstantial details, possessed of truth. And not only did Mr. Andrews give ready credence to those falsehoods at first, but he persists in extending his credence to them still, *Vide* his report, Appendix, No. 10.

still, in spite of the assurances and proofs he has received as to their utter untruthfulness. As essentially bearing on the case, and as in part elucidatory of the character of the man who came before the natives of Baroda as Mr. Andrews' agent, professedly acting on Mr. Andrews' instructions, avowedly labouring in Mr. Andrews' behalf, and practically, in their estimation, an embodiment of the Adawlut system, I deem it my duty to notice some of his leading misrepresentations, and in doing so I shall, for convenience sake, take as my text Mr. Andrews' remarks, founded on the sheristedar's misstatements.

156. On the 15th of October Mr. Andrews wrote: "By whomsoever you are informed that Nerbheyram voluntarily declined to assemble a punchayet, he has (by Nerbheyram's account) been guilty of a gross falsehood; and I cannot believe that Nerbheyram would willingly have neglected to obey one of my positive instructions, particularly as he could not have had any motive for his disobedience; and the assembling of a committee did not rest with him at all. It appears most strange also that the books should have been examined in Hurry Bhugtee's shop instead of the Durbar."

157. In reply to this it is sufficient to observe, that the Durbar actually issued summonses to five sowcars and sirdars to sit on committee, a matter of recorded fact, about which no doubt whatever can exist, that the committee was declined by the sheristedar, in the presence of the native agent and a carkoon of the residency, Shumbooram Kotoal, and a carkoon of the Durbar, and several goomashtas of Hurry Bhugtee's firm. That his Highness the Guicowar, having subsequently asked him why he declined it, was answered that it was unnecessary; and that on my putting the question to him, a similar reply was volunteered. What Mr. Andrews' instructions to his sheristedar were, is a matter best known to himself; and what that gentleman can or cannot believe is a point of no earthly importance in such a case. I state facts, to the correctness of which I pledge my honour, and I presume they are entitled to quite as much importance as Mr. Andrews' intuitions. As regards the complaint about the books being examined at the bank instead of at the Durbar, I have only to say, that Mr. Andrews had never requested, or even hinted a wish, that the committee should be assembled at the latter place, and that had he done so I should not have thought it my duty to comply with his request, for to have done so would have been unwarrantably to trespass on the Guicowar's good nature.

158. Mr. Andrews in the same letter also wrote, "you will observe from his report how Nerbheyram was frustrated in carrying into effect my instructions, to have a committee to examine and authenticate his extracts, and how he was disappointed when the sowcars at last refused to comply with his Highness's order to do so, an act of disobedience to their despotic sovereign unheard of, I should think, in the annals of Baroda, and would never have been ventured on if it had not been fully understood that the order was not sincere."

Appendix, No. 9 A. 159. In reference to this, it would be enough to refer to his Highness's yad of the 7th of October and its accompaniments. But I think it my duty to observe, that while his Highness could have no conceivable object in preventing the sowcars attesting the papers, there were pretty obvious reasons for the latter declining to do so. They had out of regard to their professional reputation, which was of course at stake, been obliged, against their inclination, to tender opinions unfavourable to the views of the chopras taken by Mr. Andrews, the Surat revenue officers, and Mr. Andrews' sheristedar. They had been menaced Appendix 11. by the sheristedar of Mr. Andrews' Court with being dragged before the Courts of Surat and Bombay; and though I do not know that such is the case, I think it not improbable they may have been as doubtful of the sheristedar's honesty as myself, and have been influenced by a feeling not unlike that which prompted me, as some guarantee against a fresh charge of "tampering" directed upon my establishment, to retain the extracts the sheristedar had taken, and give him in exchange the copies made in my office, after he had compared them with his own, and admitted them to be correct copies. But whatever were the sowcar's motives for refusing to authenticate the extracts, no legitimate object of the sheristedar could have been defeated, and no possible inconvenience could have been experienced by Mr. Andrews in consequence of that refusal, as I myself attested the extracts, as "pledged by my native agent, to be correct copies." And here I deem it my duty to point out one of the contemptible devices of the sheristedar,

sheristedar, as displayed in his cunningly constructed statement. In describing his first interview with me he says: "The Resident remarked that all respectable people will not attest their signatures. I replied that not all, but a few would do so." This is simply a falsehood. No such remark was made by me, no such reply given by the sheristedar. At our first interview I was impressed with the belief that the man was about to assemble a committee, and it never for an instant occurred to me that there would, or could, be any difficulty about attesting the extracts. When subsequently, on taking leave of me prior to his departure from Baroda, he complained of the sowcar's refusing to sign the extracts, I made some remarks, the precise terms of which I forget, to the effect that, sowcars might very likely have objection to sign fresh extracts purporting to relate to a particular transaction, having, as they say, already furnished attested copies of every extract directly relating to the case, unless he could point out any error in the extracts they formerly gave, or any other extracts they had omitted to furnish; but, I added, it will not now signify, as I shall attest your papers. This may seem a trifling matter to argue on. In appearance it is so, in reality it is of importance. The speech attributed to me at our first interview is cleverly introduced, with a view of (casually, as it were,) showing that from the first I expected the sowcars would withhold their signature; thus inferentially implying that the refusal of the sowcars, if not deriving its inspiration from the residency, had at least been given under the belief that it would be gratifying to the Resident. It is one of those cunning little suggestions, like the hint thrown out about the sleepy-headedness of my native agent, with which this sharp Adawlut sheristedar's statement is replete.

160. In the letter last referred to Mr. Andrews wrote, "I beg to observe, that you must have misunderstood Nurbheram regarding his admission, that all the items had been furnished by you which directly related to the Larcoba case."

161. I beg to say, that I did not misunderstand Nurbheyram: I took special care that he should not misunderstand my question, nor I his reply, and this, simply because I had reason to suspect I had a rogue to deal with. My question was, whether or not he had found that I had omitted to send to Surat any document directly bearing on the Larcoba affair, and his reply was, No; that I had sent everything; but that he had taken other extracts which he thought would be useful, and after leaving me, he enunciated himself to the same effect, if not in identical terms, to Mr. Battye. That he took the additional extracts is undoubted; but I am assured that these extracts did not throw light on the Larcoba affair, and could have been taken for no other purpose than to afford the means of further mystifying matters by what sowcars term "Adawlut Turkut," and what we should call "attorney quibbling." And that I am right in assuming that the extracts taken by the sheristedar throw no real light on the case I have not a vestige of a doubt; for though I have called on Mr. Andrews to specify a single extract bearing directly on the Larcoba case, taken by his sheristedar, and not previously sent by me, he has never thought fit to give me a candid answer, and, as this is a point of material importance, I would crave the attention of the Honourable Board to the following points:

Before the sheristedar was despatched, Mr. Andrews was in possession of the documents declared by the sowcars to be the only ones directly relating to the case: viz., extracts from the "Rozmail" (daily account books) of Purshotum Runchore; the "Owra" (monthly account) of the same firm; the "Khata" (ledger), together with the "Owra" details of the same; the "Rozmail" (daily account) of Narrain Runchore; the "Rozmail" (daily account) of Samul Bhugtee.

162. Mr. Andrews asks me to send the banker's books to Surat, a request which he must have been well aware could not be complied with, and then, on the strength of a refusal he could not have failed to anticipate, without asking permission, or giving me a hint of his intentions, he sends his sheristedar with a letter, stating that the extracts from the accounts were not all he required, but not specifying wherein they were deficient, nor what class of accounts were required to render them complete and satisfactory. His sheristedar, after rambling over, studying, and taking English notes of accounts, having no earthly connexion with the ostensible subject of his researches, carries off divers

extracts from ledgers, which the spectators of his proceedings conceive to be simply designed for "Adawlut Turkut," or attorney pleadings; and in oral intercourse with two gentlemen, he admits that these extracts "may be useful," those already sent being not only correct, but embracing everything directly bearing on the case in dispute.

163. His sheristedar's avowal of the accuracy and completeness of the documents is communicated to Mr. Andrews; in other words, a gentlemanly hint is given that the irregular mission of the sheristedar was also unnecessary. By way of answer, he assures me that I must have mistaken the sheristedar, and, by way of giving logical force to that assurance, he thus interrogates me regarding the previously sent extracts, which the sheristedar had declared to embrace all directly relating to the Larcoba case: "If they had been, why should I have despatched him to Baroda? and" he adds, "he has brought away many that I had not seen, especially extracts from the Khata (ledger) for several years of Sobagwuntee Baee Sahib, which were the most essential of all."

164. Why, under any circumstances, Mr. Andrews should have adopted the extraordinary proceeding of detaching an officer to Baroda without my sanction previously obtained, is a matter best known to himself; and how extracts for several years of "Sobagwuntee Baee Sahib" can elucidate, or be said to relate to the Larcoba memorandum, I can only hope to understand when, by being favoured (as I trust I shall be) with Mr. Andrews' reply to this memoir, I am put in possession of the new form his philological argument will be made to assume, now that he learns that the term "Sobagwuntee Baee," not "Sobagwuntee Baee Sahib," is applied to concubines as well as to married women.

E E. F F. 165. The letter from which the above quotation is made, bears date the 16th of October; and on the 20th, I deemed it my duty to make the demands contained in the following passage: "You state that your sheristedar has brought away with him 'many (extracts) that I had not seen, especially extracts from the khatas for several years of Sobagwuntee Baee Sahib, which are the most essential of all,' having reference to my assertion, that your sheristedar had admitted before me, that all the items had been furnished by me which directly related to the Larcoba case; I therefore require of you to specify every item extracted by your sheristedar, not furnished by me, which relates directly to the Larcoba affair. I do not care about his extracts of items credited or debited to Sobagwuntee Baee Sahib; but if he has any item clearly relating to a banker's wife, in which the word 'Sahib' is omitted after Sobagwuntee Baee, I shall thank you to communicate it to me. And if he has succeeded in finding any item in which the name of a banker's wife, or any term designating a banker's wife, is mixed up with that of a male of a different caste, and necessarily unconnected either by marriage or consanguinity, such items also I shall feel obliged by your communicating to me." * * * "Your sheristedar further states, that 'in the name of Sobagwuntee Baee Sahib was debited 100 rupees in the item of 3,100 rupees; this I saw written in the rozmail of Purshotum Runchore;' and as he at the same time declares that the chopras are correctly drawn up according to sowcaree custom, I therefore require him to inform me where he found any corresponding credit for these 3,100 rupees recorded."

166. To these queries not a shadow of a reply was offered, beyond an intimation that the extracts taken by the sheristedar from the ledger-books of Narrain Runchore and Samul Bhugtee distinctly proved I was wrong in stating that the sum of 12,000 rupees, "attempted to be accounted for by a similar credit with Narrain Runchore in the 'owra' of Samul Bhugtee, is proved to have no reference to the item embodied in the 18,000 rupees item, as it is not credited in the accounts of Hurry Bhugtee for Sumvut, 1903." This he told me was wrong; "because they (the extracts) show, that not only is this sum of 12,000 rupees, but all other sums similarly debited in Narrain Runchor's account, throughout the year, are credited in Samul Bhugtee, and not Hurry Bhugtee's account books. The imperfect extracts that had been first furnished to me from the 'owra' had not made this point so clear." As regards the sum alluded to, I have only to refer to paras. 140 and 141, wherein I have fully discussed the matter. But here I must be permitted to observe, that if the "owra" with which Mr. Andrews had been provided did not make the matter so clear as the

the ledgers, the fault must have been in the perceptive powers of those who examined it, for the ledger is made up from the "owra," which is the more ample record of the two; and where the ledger differs from either "owra" or "rozmail," the latter documents are more to be depended on than the former, as will be seen on reference to the note hereunto appended,* in which I have given certain queries adduced by me to the bankers, and their replies; and I feel very certain that the Surat bankers, and the bankers of any city in India, would determine, that in persuading Mr. Andrews that the ledger books threw more light on the subject than the "owra," or afforded any evidence or information not previously communicated by means of the "owra," the sheristedar was simply indulging in the worst kind of "Adawlut Turkut."

167. I had requested Mr. Andrews to specify a single item relating directly to the Larcoba affair, contained in his sheristedar's extracts, which I had not previously sent: in reply, he tells me to find out for myself. His words I give: "As you have copies of the extracts brought by Nerbheram, as well as translations, if not copies of the extracts furnished to me by you direct, you can easily find out what new extracts have been brought by him. Those for which I had written to you were required from the ledger-books, instead of which, with the exception of Vishnoo Narrain's account, all the other extracts furnished were from 'owra,' or monthly cash-books. But Nurbheram brought extracts from the ledger-books."

168. Considering the circumstances of the case, it will, I think, be allowed that Mr. Andrews' uncommunicativeness was hardly justifiable. I should have looked for it from his sheristedar, who, if he knew aught of native book-keeping, must have been aware that the ledger is held by the sowcars of no value in tracing the details of transactions; but from Mr. Andrews I did not expect it. I looked either for a candid avowal that I had omitted to send him nothing of any importance, or for a clear explanation of the items I had omitted to send; and I certainly did not look for what it requires great forbearance to abstain from designating a *suggestio falsi*, such as is contained in the last part of this passage. Mr. Andrews had never once alluded to the ledgers; yet the obvious meaning of his words is, that he had applied for them, and that, evading the spirit as well as the letter of his request, I had sent him quite another set of documents,—an artifice which had necessitated the mission of his sheristedar.

169. To enter one by one into all the insinuations indulged in by the sheristedar, in his report to Mr. Andrews, would be an unnecessary waste of time, as they are all substantially answered in the statement of the native agent (with its accompaniments, Appendix 12), the truth of which I have no doubt, for the facts were reported to me daily, as they occurred, by the native agent and others; and these statements were confirmed by corroborative circumstances which came to my knowledge through other sources; and it will be seen, on reference to Appendix 9, that the sheristedar's statements regarding what passed before the Durbar, are proved to be as utterly false as his representations of what passed at the residency have been shown to be. But one of his artifices demands exposure in the body of this report. In his first statement that individual had charged my native agent with being in confederacy with the Guicowar minister, to damage his character, and this charge he preferred on the ground that he had been so informed. In reference to that report I thus addressed Mr. Andrews, on the 20th October: "I call upon your sheristedar to state how, when, and where he heard this, and from whom he received his information?" In reply to this demand

Appendix, No. 12.

* Questions put to the Baroda sowcars, and their replies:—

1. Are the month books "owra" made up from the day books "rozmail"?—*Answer.* They are made up from the "rozmail" and "hoondve" (Register of Hoondees).

2. Is the ledger "khata" made up from the month "owra" books?—Yes.

3. If the ledger and day books disagree, which is to be depended on?—The day book.

4. If the ledger and month books disagree, which is to be depended on?—In that case the monthly account should be depended on, but as it is framed from the day books and "hoondve," more reliance is to be placed on the two latter accounts.

5. From what "khurda" is the monthly account prepared?—Among sowcars the "khurda" is framed from the daily account, but where there is no "owra," the ledger is made from the daily account and "khurda."

demand Mr. Andrews forwarded a second statement from his sheristedar, which I subjoin: "In obedience to the above order I beg to represent, that on the 3d October, at about 10 o'clock, as Soorujram came to the city in his gharry, with his men, I sent word to ask whether I should accompany him, or go direct to the residency? he replied, that I should go to the residency; but the evening previous, after I had left the Durbar, Soorujram remained for a long time with the Maharaj, and spoke in such a way about me as to make the Maharaj take a dislike to me; this I was informed by a person in Baroda, whose name I cannot mention. The next day (3d), Soorujram having gone to the city, it became necessary for me to find out where he was going; I accordingly sent my man after him, and learnt that he was sitting in the house of Bhow Tambeykur, where Shumbooram and the goomashtas of Hurry Bhugtee also were; on hearing this, I went the same night to Shumbooram's house, who also told me that Soorujram had come to Bhow Tambeykur's house, and was talking a good deal, but Bhow Sahib, after being shaved, got up in disgust and went away. From this I believed what my man had informed me, and I was convinced in my mind what I had heard, of his having spoken against me the night previous, to the Maharaj, that they were concocting something against me. As regards your question from whom, and where I heard that matters were being concocted to bring blame on me, I beg to state that I cannot give up my authority, because the information was given through friendship. It was at midnight, of the 3d October, that I was informed by the person alluded to, that something was being concocted against me, and that I should leave Baroda quickly, because it was the intention of evil-disposed persons to attack my character, from which it would be difficult for me to escape. This, and what I have stated above, agrees, and for this I believed it to be true. After my return from Baroda I heard it reported in the bazaar, that matters were being got up some way or another, and evidence taken. This circumstance has convinced me, more and more, that what I was informed that night was the truth, and such is going on; I am fully convinced the truth will be established when inquiry is instituted."

170. In reference to this document, I have first to observe the extreme improbability of any conspiracy being got up against any well-believed man, who had strictly limited himself to the very humble functions apparently assigned to the sheristedar by Mr. Andrews, that of obtaining extracts from bank records. There was no earthly object to be gained by such a conspiracy. His character could not affect the value of the attested documents; no misconduct on his part would diminish their acceptability as evidence. He had no legitimate connexion with Baroda, and he could not legitimately be influential in its affairs; and though, in one of his letters, Mr. Andrews assumes that the result of the sheristedar's legitimate labours being unfavourable to my suspicions had procured him ill-will at Baroda, the assumption is transparently absurd. My inquiries had from the first been distasteful to the sowcars and leading men at Baroda; and, as has been seen, the sowcars themselves are far from attaching any value to the sheristedar's new extracts, or, considering that they in any way refuted their opinions, that the bank books were untrustworthy; that, in other words, they can only regard these extracts as having been taken simply for the purpose of mystification and "Adawlut Turkut;" and it is worthy of notice, that though in his first statement he artfully suggests that the "conspiracy" was directed against himself "and the sahib" (Mr. Andrews), he takes care not similarly to compromise himself in his second declaration.

171. In the second place, the Maharaj denies that the native agent spoke about the sheristedar as he has been represented to have done, and that denial is adhered to by the native agent and all who were present. If, therefore, the sheristedar was really so informed, there can be little doubt that his informant told a falsehood; but it is extremely improbable that he was so informed. I have already distinctly proved that the man is capable of telling deliberate falsehoods; and the fact of his persisting, notwithstanding my own demands and those of the Durbar, on refusing to give up the name of his informant, does not, I think, tend to confirm his credibility on this point.

172. In the third place, the espionage kept by him on the movements of my native agent, who had gone to the Minister to confer on a matter connected with the widows of the late Hurry Bhugtee, is itself suggestive of the uneasiness of a man

a man conscious of having overstepped the very humble commission on which he had professedly come to Baroda.

173. In the fourth place, Shumbooram positively denies that any such conversation occurred between him and the sheristedar, as is reported to have taken place on the night of the 3d October, and Shumbooram's word one would think was nearly as trustworthy as that of a man who must be considered a deliberate liar, if any reliance is to be placed on the word of Mr. Battye and myself. Mr. Andrews says otherwise. Shumbooram, he declares, "has lately been found out telling so many lies, that if he took 100 oaths no trust could be placed on his word, unless accompanied by strong proofs." This sweeping condemnation of the Baroda fouzdar is founded on the fact, that when I assured Mr. Andrews that his own assurance to that effect was quite enough to satisfy me that the story of Moongajee driving in his carriage was a mere figment, I added, that I had, at the time of its being told, given to it the readier credence from the goomashtas who uttered it being supported by Shumbooram, an officer of the Durbar, who was in the habit of coming to the residency. By not contradicting it, he at all events indirectly supported it; and my impression was, and is, that Shumbooram had himself repeated it. Afterwards, however, he denied that he had done so. If my impression be correct, then Shumbooram's subsequent denial, it is clear, contained an untruth; but though I should be the last person to defend or palliate the most trivial departure from truth, yet this particular lie (if lie it was) to screen himself from Mr. Andrews' indignation, was such as I believe few natives would have hesitated to tell, and one, I think, of dye less deep than the deliberate inventions of which I have convicted the sheristedar. But the comparative credibility of the sheristedar and Shumbooram is not a point to which I attach any importance, and for that matter I would readily give Mr. Andrews the benefit of all he can draw from assuming the superior trustworthiness of the former. In doing so, however, I feel it but due to the cause of truth to observe, that that gentleman has displayed much ingenuity in bestowing a vast amount of indignation on that particular story. From the "disgust" he expresses at being made "the victim of lies, &c.," when alluding to the simple affair of Moongajee and the carriage, one not conversant with the real state of matters would imagine that it formed the basis of some heavy charge, instead of having been simply given in a gossiping conversation of goomashtas, as one illustration of the very extraordinary intimacy supposed to subsist between Moongajee and Mr. Andrews. But it was a false illustration, and this circumstance Mr. Andrews has turned to much advantage, as a strong argument not only of the falsehood of everything else, but, seemingly, as a valid plea for rejecting documentary evidence.

174. But be Shumbooram's moral turpitude what it may, that of the Surat sheristedar is beyond cavil; and it has been a source of no small offence and humiliation to his Highness the Guicowar, to find a British officer in Mr. Andrews' position giving credence to a convicted liar, in preference to one occupying his Highness' position,—an offence and humiliation for which I feel confident Government will deem reparation due.

175. Long before the sheristedar's statement reached Baroda, I received a yad from the Durbar (Appendix, No. 9 A.), enclosing two depositions, which latter, for the reasons specified in para. , I deem it prudent to withhold for the present. It is enough to say that these depositions were to the effect that the sheristedar had endeavoured to suborn false evidence against his Highness' minister, the native agent, and myself, on charges of bribery; and his Highness called on me, in virtue of the friendship subsisting between his own and the British Government, to take steps for putting a stop to so grievous an injury as that inflicted by "servants of the British Government, who not only behave disrespectfully, but speak ill of the kamdars of this Government in the presence of its own subjects." And when it is borne in mind that the sheristedar had (*vide* Appendix, No. 11), in the presence of the Baroda bankers, done all in his power to bring his Highness' authority into contempt, by ridiculing the deference paid to him, and contrasting my respectful demeanour to the Baroda prince with the contemptuous conduct attributed (falsely I am sure) to Mr. Rogers; when this is borne in mind, it cannot, I think, be a matter of surprise that his Highness should have been much hurt, and highly offended.

App. No. 9 A.

Appendix, No. 11.

176. When the sheristedar's mendacious statement arrived, finding that it implicated the conduct of the Durbar as well as of myself, I, of course, forwarded it to his Highness. At this Mr. Andrews expresses astonishment, as if I had not warned him on the 3d October, that henceforth "all his communications should be conducted in a strictly official manner, and on the express understanding that they are to be submitted to official scrutiny and application." And as if I, whose duty it is to consult the interests, dignity, and honour of the Baroda chief, while maintaining those of my own Government, could, without gross dereliction of duty, have suffered a subordinate of the British Adawlut who had intruded himself within my jurisdiction, and insulted both myself and the native power to which I am delegated, to misrepresent the proceedings of both, without adopting the most obvious and regular means of vindicating the object of his mendacious libel.

177. To the sheristedar's statement, the Guicowar offered a remonstrance, Appendix, No. 9 B. (Appendix, No. 9 B.) flatly contradicting his allegation, that he wished, but had been denied a committee, and intimating, by way of disproving the falsehood, that the sheristedar had confessed in the Durbar that a committee was offered to, but declined by him as unnecessary. In reference to the espionage, the sheristedar admitted to have practised on the movements of my native agent, his Highness observed, "This seems very strange, because there is no objection, on the score of friendship, for the Sirkaree kamdars to visit each other on public business. Such being the case, what suspicion Nerbheram entertained on the subject which induced him to send a man to obtain such information, and whose authority he had for so doing, this Government cannot understand. This matter is a source of regret to this Government, because these circumstances have been introduced into this report in order to bring doubt into the minds of the two Sirkars against their respective kamdars. As this Government deems it necessary that the matter should be cleared up, it is requested that the Government agent, Mr. Andrews, be written to on this subject, so that the doubt entertained by this Government may be removed."

178. In the meantime I had received from Mr. Andrews a second statement by the sheristedar, in which he implicated Shumbooram as one of his in- Appendix, No. 9 D. formants, attributing to him the statement alluded to in para. 168. This statement, dated 22d October, was of course submitted to the Durbar, who replied to it on the 31st of that month. In reference to the assertion of the sheristedar, that he had been informed by some one that my native agent had been speaking against him to the Guicowar, his Highness declared that no such conversation as was alleged ever took place. "Such being the case," observed his Highness, "it is necessary to mention what person has thrown these doubts on his mind, and this he should not hesitate to do, because that person has misrepresented matters to him." The story about Shumbooram was flatly contradicted on the authority of that person, who declared that what conversation did take place was precisely the reverse of that described by the sheristedar, and that it passed in the presence of several individuals, all of whom could testify to the matter.

179. As his Highness had assured Mr. Andrews that the story which his sheristedar professed to have heard about my native agent reviling him to the Guicowar, was a gross falsehood, and as I have distinctly proved that the same man had lied in other respects, it was surely due to the cause of truth and to the assailed dignity of his Highness, to insist on the sheristedar revealing the name of his informant, under the penalty of being himself regarded as the originator of the untruth. But Mr. Andrews, instead of pursuing such a Appendix, No 9 E. course, addressed to me a Maratta letter, dated 9th November, the contents of which he asked me to communicate to the Durbar. In this letter he clearly implied his belief that the sheristedar had not refused the aid of a committee; notwithstanding he had been assured both by the Prince and myself, not only that the committee had been refused, but that the sheristedar had, both at the Durbar and at the residency, admitted having refused it, and assigned his reasons for so doing. He defended the sheristedar's espionage on the movements of my native agent, and after professing that he never entertained, nor would entertain, doubts of his Highness' veracity, went on to impugn it. The Guicowar had assured him that if any one had told the sheristedar that my native

native agent had been speaking against him to him, he had simply told a falsehood; and in reference to this assurance Mr. Andrews wrote, "how far the information falsely given to the sheristedar by his informant is true or otherwise, will be best known at the time when an inquiry is instituted." Whether that "inquiry" referred to the Baroda commission threatened by the sheristedar, I know not, but the language employed by Mr. Andrews would seem clearly to imply, that his Highness' assurance required confirmation to entitle it to full credence. He then proceeded to justify the sheristedar in withholding the name of the person alleged by him to have been his informant, that is, the person who was declared by the Guicowar a malicious libeller of his sovereign.

180. In reply to this, the Durbar, on the 26th November, made another appeal. The only reply given by Mr. Andrews up to the present day is that contained in the subjoined letter, dated the 7th December, and received by me on the 9th. App. No. 9 F. L L.

"I received your letter of the 22d ultimo, with its enclosure, some days ago, but could not answer it immediately in consequence of Nerbheram's absence, who has not yet returned from Bombay. I, however, think it not only unnecessary, but also unbecoming, to carry on a discussion with the Durbar on such points; and I therefore beg you will do me the favour to communicate the same to his Highness, with an assurance from me that I never doubted his sincerity and good-will towards me. Should his Highness not be satisfied with this, you can adopt whatever steps you may deem necessary, just and fit in the matter, communicating the same, however, to me, if you see no objection."

181. Whether, under these circumstances, his Highness has not heavy cause of complaint against the Surat sheristedar, and the Judge who sent him hither, and whether ample apology is not due to his Highness from both these servants of Government, are matters I respectfully submit to the consideration of the Honourable Board. If the discussion with the Durbar was unbecoming, I think the Honourable Board will admit that the unpleasant feature consisted in a British Judge continuing to uphold, in opposition to the assurances of his Highness, the statements of a man who had been convicted of deliberate falsehood, and who had, under the plea that he was executing the commission of that judge, spoken slightingly of his Highness in his own capital, and endeavoured to intimidate his Highness' subjects.

182. I have already said that there could have been no earthly object for a conspiracy against any well-behaved person in the position of the sheristedar of the Surat Adawlut, and confining himself to the ostensible duties which alone he was avowedly deputed to Baroda to perform, and I have now to urge that the mere fact of his pretending that any such conspiracy existed, or that he believed in the existence of such a conspiracy, is at least presumptive of his having engaged in improper practices. It would seem to imply that he was anxious to guard against accusations founded on these by an anticipatory protest against the fidelity of the witnesses against him, aware, as he had been made by my letter to Mr. Andrews of the 8th October, that I had already obtained an inkling of some irregularity in his proceedings, and had solicited information regarding his movements, the mere applying for which denoted that I was engaged in an inquiry having himself for its object, and if conscious that in his excessive zeal for Mr. Andrews' interests, and those of Keshow's father, Nursoo Punt, he gave out that a commission of Mr. Andrews' friends would be sent to Baroda to report on the misunderstanding between that gentleman and myself, and if conscious, further, that he had been concocting a conspiracy against the native agent and myself, to be made available when the predicted (and by him, doubtless, earnestly desired, as affording scope for further intrigue) commission met, if conscious of all this; and aware that I was on his track, the artifice of the fictitious conspiracy becomes easily intelligible. That he was engaged in concocting such nefarious schemes, and that individuals at Baroda as well as in my own establishment had been suborned to aid him in his endeavours, is a matter of which I have no doubt. At one time I thought I should have no difficulty in establishing these facts by clear and sufficient legal evidence, to the satisfaction of Government, but I have hitherto been disappointed. In this respect the sheristedar's mission has not been without fruit. The disrespectful language used in reference to myself, by one represent- C C.

ing himself as the right-hand man of a high and influential official; the disrespectful terms in which he spoke of his Highness, in the presence of the goomashtas, and the intimidating tone he assumed towards those who had assisted me in my inquiries, and enunciated views different from those of himself, Mr. Andrews, and the Surat revenue officers, were well calculated to deter witnesses. Who its authors were, I am not in a position at this moment satisfactorily to prove, but a report has been for months prevalent in this place, that my efforts to crush the corruption which for years has rendered Baroda infamous, far from meeting with the approbation of the Bombay Government, have been eminently distasteful to that body, and that any inquiries of mine are sure to have a disastrous issue; and as an example of how circumstantially matters have been detailed, I may mention that months ago it was reported in the bazar that I had been officially reprimanded for the measures I had taken in reference to the bribe offered to my native agent. With such reports in existence, supported by the open speeches of the Surat Adawlut sheristedar. it cannot be a matter of surprise that I have some difficulty in obtaining the full legal evidence I could wish. To detail at present the object of my suspicions, and the nature and amount of evidence against them, would be to follow the mischievous example set by Mr. Andrews in reference to his clients Doolum, Larcoba, and Moongajee. By putting the suspected parties on their guard while yet my information is incomplete, and the evidence at my command considerably short of strict legal sufficiency, it would, in all probability, enable them to frustrate inquiry; at all events it would put it in their power to diminish the amount of legally acceptable evidence, which I have reason to hope will ooze out in due time; and as it cannot be the wish of Government that I should do so, I shall, in this report, make no further allusion to my suspicions regarding the sheristedar's cabals against myself, beyond pledging the honour of a British officer to the effect, that I have reason to believe in their existence, and binding myself, when the proper time arrives, to prove that I had grounds for believing in them. This I do, and having done so, I appeal to the Right honourable the Governor in Council, whether it is more probable that I, who make this pledge, should tie a reputation of 32 years' honest service to a fiction; or that an Adawlut sheristedar, already convicted of divers falsehoods, should, failing in nefarious schemes, and aware that I had obtained a clue to his villany, try to intimidate and damage the testimony of those to be brought in evidence against him, by trumping an improbable and unsubstantiated story of a conspiracy against himself, a conspiracy for which there could be no object.

183. While the sheristedar was still at Baroda, I was informed that he had arrived at this place two days before he presented himself at the residency, having, during that period, been secreted in the garden-house of the party through whom it was suspected the money referred to in the memorandum had been paid into Baba Nafra's hands for the purposes of bribery; circumstances detailed at the time (embracing the information subsequently deposed to, and given in Appendix, No. 14), rendered the story probable; and it appeared to me to derive additional probability from the fact, that the letter from Mr. Andrews which the sheristedar presented to me on the 28th of September, was dated the 21st of that month. Seven days, even during the rainy season, was a length of time enormously in excess of that consumed by natives making the journey from Surat to Baroda, more especially travelling, as he did, on horseback, and unencumbered with baggage; and as Mr. Andrews was at that time pleading "press of business," as an excuse for the irregularity of his correspondence, I took for granted that, in detaching the most important officer of his court on an advocatorial, not a judicial, mission, he must have told him to effect his movements with the utmost attainable celerity; when, therefore, I had made sure that the man (represented to me as having lurked about after taking leave of me) was really off, and not likely to return to sow the seeds of more mischief at Baroda, requested (8th October) Mr. Andrews "to take his sheristedar's depositions on oath, and send it to me with as little delay as possible, on the following points: first, the day and hour of his arrival at Baroda, specifying the places where he stopped on the road, and the time he delayed at each place; secondly, the same information with respect to his departure from Baroda and arrival at Surat." In his reply, on the 15th October, to my letter of the 8th, containing the above request, and begging that the information might be sent to me with as little delay

Appendix, No. 14.

C C.

E E.

as

as possible, Mr. Andrews thus expressed himself: "I have to inform you that Nurbheram, on the third day after his return, on Monday last, was seized with fever, and I have not seen him since; but if I could do so, I should not feel justified in taking his deposition on oath on the points you require, without knowing the reasons for which you require it, and the use to be made of it. This is a step which may be consistent, perhaps, with your notions of political expediency, but is quite at variance with my notions of justice."

184. The "Monday last" was Monday the 7th October; the "third day after his return, on Monday last," would seem to indicate Thursday, the 10th, as the day on which the fever attacked him; and as I think there can be little doubt that my letter of the 8th was in Mr. Andrews' hands on the 9th, or early in the morning of the 10th, if Mr. Andrews meant to tell me that he had not seen the sheristedar subsequent to the receipt of my letter, a more explicit declaration to that effect might have been given. The mystified statement, I must confess, suggested doubts of its real meaning to my mind, as it has been confidently reported in Baroda that for some days after the sheristedar's return to Surat, he had been daily closeted with Mr. Andrews till a late hour. What possible objection the sheristedar could have had to give, or Mr. Andrews to call for, and communicate to me, the fullest information regarding his movements, if all his proceedings had been open and above-board, it is difficult to conceive; still more difficult is it for me to understand how Mr. Andrews, who had got me to put my native agent on his oath as to his connexion with Moreshwer Fudkey, "without knowing the reasons for which he required it, and the use to be made of it," should have deemed my request "a step which may be consistent with your (my) notions of political expediency, but is quite at variance with my (his) notion of justice." And not less surprising does it appear to me, that if Mr. Andrews had not seen the sheristedar since the receipt of my letter, he should have felt himself entitled not merely to express an opinion, but unhesitatingly to "assure" me that the individual in question had "nothing to conceal" regarding his journey.

185. Another strange feature in the case is this: wishing to have the sheristedar's deposition taken before he had time to communicate with Broach or Baroda, I had on the 8th October, begged of Mr. Andrews to send it to me, "with as little delay as possible;" he declined to comply with my request, but on the 15th of that month, sends me a Marratta statement* (which also I had called for), professing to have been prepared on the 9th, and not only does this statement which a couple of hours would have sufficed for his carkoons to copy, remain undespatched till the 15th, but when it comes, it displays unmistakeable internal evidence, that if at the period of its compilation, the writer was not aware of the request I had preferred to Mr. Andrews, he at least anticipated that his movements and proceedings generally would be the subject of inquiry; he is ingeniously minute in details of no earthly importance, and cunningly introduces a host of facts and fictions, intended to form pegs whereon to hang justificatory pleas when his conduct should come under investigation; but though adducing the rain as explanatory of the usual time taken on the journey, he assigns no reason for only starting from Surat on the 23d of September, though the bearer of a letter dated 21st, apparently given to him at the moment of his departure; a letter in which Mr. Andrews says, "I send with this the sheristedar of my court;" and though Mr. Andrews, in transmitting it without comment, seemed to vouch for the truth of the sheristedar's assertion, that he did not leave Surat till the 23d, he withholds all explanation of the cause of the delay, though aware from my letter that the sheristedar's movements were deemed by me of importance, and though a minute's reflection must have made it apparent that the delivery at Baroda on the 28th, of a letter professing to be despatched from Surat on the 21st, had itself a curious appearance, when taken in connexion with the peculiar character of the mission of which the letter was the first and only announcement vouchsafed to me.

* Sheristedar's Report, App., No. 10.

186. Not doubting that Mr. Andrews would send me the sheristedar's deposition as solicited, I took no steps to obtain information from Broach regarding that man's movements till the 16th, by which date of course the sheristedar had ample time to communicate with his friends there, and the information Mr. Morgan communicated on the 17th was so far in harmony with the dates given by the sheristedar; it was to the effect, that he "came to Broach from Surat on the 21st of September, started from Baroda on the following day, and, on his way back, he came to Broach on the 5th, and left on the following day in the evening."

evening." One thing is, at all events, certain ; he held a nocturnal consultation at Baroda on the night of the 3d, and did not profess to leave till the morning of the 4th ; and assuming that he reached Broach on the 5th, it certainly shows that he took matters far more leisurely in approaching than in departing from Baroda. Starting from Broach on the 25th, he only reached Baroda (according to his own account) on the night of the 27th. But I have reason to believe that Mr. Morgan's informant had been misled by Larcoba and the occupants of the sheristedar's house at Broach, who, by the time inquiry was made, had doubtless obtained their cue. My belief is, that the sheristedar arrived at Broach from Surat earlier than the date specified, probably the 22d, certainly not later than the 23d ; and that he arrived at Baroda not later than the 25th. Moreover, I have reason to believe that he lurked at Baroda several hours beyond his ostensible departure, for reasons best known to himself.

187. These details are simply given to illustrate the generally questionable and suspicious character of the sheristedar's proceedings ; by themselves they are unimportant, but taken in connexion with the intimidation he practised towards the goomashtas; the falsehoods about the committee, &c., above recited; his insinuations against his Highness the Guicowar ; the hints he threw out that a mere soldier was liable at any moment to be removed, my place being filled by Mr. Andrews, or some civil friend of his ; his further hints about the forthcoming Baroda Commission ; the reports, which could only have emanated from himself, that I had in a measure attempted to bribe him from his allegiance to Mr. Andrews, by offering him the situation of my native agent,* and what I have already pledged my honour to, in reference to the secret cabals against myself; taken in connexion with all these things, the doubts as to the sheristedar's movements, it will be seen are neither unimportant nor devoid of probability ; and viewed as a whole, it will, I think, be conceded by the Honourable Board that the advent to Baroda of the sheristedar of the Surat Adawlut is a matter deeply to be deplored, and one which, being little calculated to enhance the popular estimation of the British administration of justice, has tended to aggravate the difficulties of my position as a British officer, struggling to uproot the dishonouring belief here so prevalent, that British officials are not above being tampered with.

Vide Statement of Heerachund Hurry Bhace, appended to Native Agent's Report, App. No. 12 C.

188. Before bringing this memoir to a close, it is necessary that I should offer one or two explanations in justification of the length to which it has extended, and the voluminousness of its accompaniments.

189. In one of his letters (Appendix Q.) Mr. Andrews alludes to the length of our correspondence, as being a proof that he, at least, was not averse to a rigorous investigation of the Larcoba affair. In reply I felt it my duty to observe, "You adduce the length of this correspondence as a proof of your anxiety to have a searching inquiry into the conduct of the suspected parties. I regard it only as a proof of your zeal as an advocate in behalf of those parties, and of your determination to leave no stone unturned for bringing them through unconvicted ; and I am ready on this point to abide by the arbitration of any honest and impartial man, be he lawyer or layman."

190. In

* In reference to this, I deem it my duty to notice, and to entreat the attention of the Honourable Board to one of the cunning tricks of this artful Adawlut servant, designed not only to give him a peg whereon to hang a falsehood promotive of his schemes at Baroda, but to afford a loophole through which to escape when afterwards charged with that falsehood. He writes, "I mentioned the report made to Government by the late Mr. Sutherland in favour of my brother Unoopram, who was native agent under him, with a view that, by mentioning his upright conduct, I could stand a chance of getting a high berth under the Resident." All that really passed was this: the sheristedar mentioned that he was brother to Unoopram, and asked me if I was fully acquainted with that person's merits; I replied that I had always understood he bore a high character, and possessed Mr. Sutherland's confidence. On this the sheristedar assured me that Mr. Sutherland had written a very strong report in his brother's eulogy, which he trusted was on the residency records, and which he hoped I would call for; I said I would do so, and ordered it to be searched out; adding that I would have no objection to furnish him with any testimony to the merits of his brother that might be found, in the supposition that this was the sheristedar's object; and this was all that passed. It is now obvious that he wished me to have the papers ferreted out, that he might adduce the unquestionable fact that it had been called for in substantiation of his story while at Baroda; and equally obvious is it that he introducedthe above quoted paragraph into his statement, that in the event of his being taxed with disseminating the story, he might reproduce it as a volunteered acknowledgment of a wish expressed, solemnly averring that he had never done more than express a wish. The whole statement is replete with these cunning Adawlut artifices.

190. In his letter of 25th October (G G.) he again expressed himself as follows: "and while on the one hand I rejoice at your submitting the case to Government, as at once putting a stop to such grievous discussions, I am extremely sorry on the other hand that unnecessary trouble should be caused to that authority in arbitrating a case in itself so utterly groundless. I fear that our discussion of it to such a length will reflect no great credit on either of us, but I trust that Government will excuse me when they see how I have been unavoidably driven to it." G G.

191. In reply to this I have to observe, and the letters which passed between us will show it, that the bulkiness of our correspondence was entirely due to a series of erroneous assumptions by Mr. Andrews, the fallacy of which it became my duty to expose; to irrelevant attacks by him on the characters of the people having no connexion with the matter, and whom it was my duty to vindicate; to a fierce and undiscriminating advocacy on his part, which seized eagerly at any kind of argument, and put forth fallacious pleas in a manner so offensive as to render reply and refutation necessary; and to a strange, persistent misconception, and misrepresentation of the real questions at issue, which necessitated my reiterated corrective explanation.*

192. That such were the real cause of the bulkiness of our correspondence, must be self-evidence to any impartial reader; and when I find Mr. Andrews ignoring this fact, and professing to have been "driven" to the voluminousness he now deplores; when I recollect the peculiar argumentative tactics he has from first to last displayed, and his tendency to reiterate erroneous statements, the errors of which have been over and over indicated to him, I confess I do not choose that his version of the circumstances attendant on our correspondence should go before Government, unaccompanied by a statement of my own, in some degree exhaustive of the arguments he has adopted. I complain of his proceedings, and deeming it my duty to establish the justice of that complaint, I have felt it necessary, for my own protection, to enter into details with a minuteness I should not have dreamt of, had I had an ordinary opponent to deal with, one whose tactics were more consistent with my own ideas of fair and straightforward discussion.

193. There now remains but one other topic demanding notice. Mr. Andrews, not I, was the first to suggest bringing our correspondence to the notice of Government. This he did in the form of a warning on the 23d August (E.), and again on the 6th September (G.) but it was not till the 21st September (N.), that I felt it my duty, whatever might be Mr. Andrews' present wishes, that the matter should be brought under the review of our common superiors. The moral effects of Mr. Andrews' proceedings were, in my opinion, most melancholy; and, as entertaining this opinion, it seemed imperative on me to introduce a narrative of them into a report, illustrative of the causes that have tended to show and strengthen the belief in "khutput," which I am preparing, and which will, I presume, be sent home to the Honourable Court of Directors. I thought it my duty to apprize that gentleman of my intentions. This warning, given lest he might hereafter accuse me of taking him unawares, Mr. Andrews has been pleased to call a threat.

(signed) *J. Outram*, Resident.

* As an illustration of the irrelevancy of Mr. Andrews' argumentation, complained of by me as the correspondence was in progress, I may allude to his attacks on the unfortunate Moreshwer Fudkey, assumed by him to be at the bottom of the "conspiracy," which at one time he alleged to have been got up against him; and as an illustration of Mr. Andrews' peculiar style of argument, which consists in refuting a statement never made, and parading the result as a refutation of another statement actually made, I may quote one of his letters in reference to the same individual. In defending Moreshwer Fudkey, I said that the various stories to the prejudice of that man which had reached Mr. Andrews, Captain French and myself, had emanated from the father of Mr. Andrews' counsellor, Keshow Row. In reply, he devotes a long paragraph to satisfy me that Nursoo Punt had never said a word to him against Moreshwer Fudkey, and does so in a tone which complacently assumes that this is a refutation of what I had advanced. Now I had all along been aware, and had officially reported to Government, that Nurso Punt was too clever to speak himself against those he wished to damage, or to speak well of those whose interests he sought to promote. I had shown that (in Captain French's case) he adopted the ingenious plan of affecting hostility to his friend Baba Nafra, whose interests he was forwarding, leaving that worthy to poison the acting Resident's ears against Moreshwer Fudkey. No, he was too well used to intrigue to be the vehicle for communicating the stories that emanated from himself.

3.

Appendices No. 1 to No. 14, to Lieutenant-colonel *Outram*'s Report.

Appendix, No. 1.

No. 907 A.

Extract Bombay Secret Consultation, 26 November 1851.

TRANSLATED Extract from the Chopra "Avra" Monthly Account of Purshotum Runchore, for Sumvut 1903, A. D. 1847, forwarded to Mr. Andrews with Letter dated 15th August 1850.

Dr.		*Cr.*		
Received from Paruk Vishnoo Narrain, on 2d Jestsood 13th (20 June) through Baba Sahib, at four annas per cent. interest, for which a note is passed -	21,000	Paid Narrain Runchore on 2d Jest - - -		14,000
		On 2d Jestvud 7th (5 July) - - -	12,000	
		Ditto - ditto 5th (3d July) - -	2,000	
		Paid Sobagwuntee Baee Sahib on 2d Jestvud 11th, (8 July) in part of 3,001 rupees - - -		100
		Paid on account of Hurree Bhoye Bhugteedass, on 2d Jestvud 13th (10 July) to Anna Sahib, for payment to Larcoba - - - -		100
		Paid Narrainrow Runchore on Assar Sood 8th (20 July), through Goomasta Runchore, in part payment of 18,000 rupees - - -		4,000
		Paid Soonee Nuthooram (without making his account) through Soonee Ookaon, 2d Jestsood 13th (10 July) - - - - - -		500
		On account of house expenses - - - -		2,400
	21,000			21,000

TRANSLATION of Questions put to Sowcars, and of their Answers, relative to a Yad containing Bribes to the amount of 21,000 Rupees, found in Baba Nafra's Dufter, in the case of Joiteebae's Son, dated 15 August 1850.

Question 1. IN Purshotum Runchore's chopras for Sumvut 1903, A. D. 1847, 21,000 rupees have been credited in the name of Vishnoo Narrain; state who is Vishnoo Narrain, at Baroda?—*Answer*. Gopalrow Myral answers that there is nobody in Baroda of the name of Vishnoo Narrain, and that he knows not such man.

Mooteelall Samuldass - - - ditto - - - ditto
Damodurdass Kessowdas - - ditto - - - ditto.
Chooneelall Lulloobhaee - - ditto - - - ditto.
Hurreevuliowdas Ruttenjee - ditto - - - ditto.

2. Baba Nafra having sent by Motee Heerachund of Atersoomba, 15,000 rupees as a bribe to Soorujram residency native agent, from the firm of Girdhur Samul, through a person of Lallbhae Gulalls, and caused it to be debited to Mootee Heerachund, as a loan, to be repaid within a month, with interest, at eight annas per cent. per month; it appears that it has been customary with Baba to cause money thus paid in bribe to be debited to other person's names as a loan; state, therefore, after examining Lallbhae's chopras, whether or not Baba could have paid that 21,000 rupees nominally to Vishnoo Narrain in bribery, and fictitiously adjusted it by crediting the same to Vishnoo Narrain, and debiting to Narrain Runchore, &c.?—Gopallrow Myral states, that from the deposition of Nuthoo Lallbhae just read, and from his chopra, in which the said 15,000 rupees are adjusted, it appears that Baba is in the habit of debiting other persons with money paid as bribes, in the shape of a fictitious loan, to be recovered with interest.

The other four sowcars answer as above.

Dated 15 August 1850.

3. Fifty-six of Baba Nafra's dufters have been produced, some of which were found by Govindrow, Soorujram, native agent, and Sumbooram, in places where they had evidently been put for concealment; in examining them, a yad was found containing an item of 21,000 rupees, credited in the name of Vishnoo Narrain; this yad has been admitted by Baba Nafra, in presence of his Highness; moreover, Baba Nafra's sister-in-law's son, Tatiaba, confesses to having penned the document. The yad and chopra are now before you, state therefore whether you consider the yad, or the entry in the public chopras relating to the same transaction is most to be relied on?—Sowcars' reply.] The yad (private memorandum) does not tally with the chopras; and as the genuineness of the former is admitted by both Baba Nafra, and his sister-in-law's son (the writer); we are of opinion that more dependence should be placed on the yad (memorandum), than on the chopras, the entries in which are mostly written in a very irregular manner.

Signed, as above.

TRANSLATION of Questions put to Sowcars, and of their Answers relative to a Yad, containing Bribes to the amount of 21,000 rupees, found in Baba Nafra's Dufter, in the case of Joiteebaee's Son, dated 17 August 1850.

Question 4. In the chopra of Narrainrow Runchore, 18,000 of 21,000 rupees have been credited in three items in the name of Purshotum Runchore, and out of that sum, 12,000 rupees have been debited to Hurry Bhugtee, with other items, which does not appear credited in Hurry Bhugtee's chopras, but in those of Samul Bhugtee, in the name of Narrainrow Runchore, on the same date; examine the chopra, and state whether from the mere fact of the dates having agreed, could it be said that this sum (12,000) is a portion of 18,000 credited from 21,000?—*Answer* of Gopalrow Myral's goomasta, by name Purshotum Kandass.] That on examining the chopras, it appears 18,000 rupees debited from 21,000, have been credited to Purshotum Runchore in the chopra of Narrainrow, and from that sum 12,000 rupees are carried to the debit in Hurree Bhugtee's name, and stated it to be the same item which has been credited to Purshotum Runchore; this sum does not appear credited in the chopra of Hurree Bhugtee, but in that of Samul Bhugtee. The date of this credit agreeing with that of the debit of 12,000, I say that the item of 12,000 rupees is a portion of the 18,000, but I cannot say this from the chopra.

The goomasta of Moteelall Samuldass concurs in the above answer.

The goomasta of Damodur Kesson - - - ditto.

The goomasta of Choonelall Lulloobhaee - ditto.

The goomasta of Hurreevullowdass Ruttanjee ditto.

Dated 17 August 1850.

5. From the date of the item of 12,000 rupees agreeing with that of 18,000 rupees, you suppose that the former is a portion of the latter; but as money transactions were carried on between Hurree Bhugtee and Narrainrow Runchore, the dates of such items might agree, though it may not be positively assumed that the former items is a portion of that sum, you will therefore examine the chopras properly, and after satisfying yourselves on this point, give your opinion accordingly?—Goomasta of Gopalrow Myral.] That as the transactions were passing, according to the sowcary custom, the dates might agree, but as in the entry of 12,000 debited to Hurree Bhugtee in the chopra of Narrainrow, it is written as "Purshotum Runchore's credit," and as the dates agree, it appears to me that 12,000 rupees is a portion of the 18,000.

The goomasta of Meteelall Samuldass concurs in the above answer.

The goomasta of Damodhur Kesson - - ditto.

The goomasta of Choowelall Lulloobhaee - ditto.

The goomasta of Hurreevullow Ruttenjee - ditto.

Dated 17 August 1850.

6. In the chopra of Purshotum Runchore, 18,000 rupees have been debited to Narrainrow, which sum is credited in the chopra of Narrainrow. If you decide that 12,000, which is credited in Samul Bhugtee's chopra, forms a portion of the item of 18,000 rupees, what has become of the remainder, 6,000, and to what head is it carried; after examining the chopra, give your opinion on it?—Purshotum Kandass goomasta of Gopallrow Myral.] That on examining the chopras of Narrainrow, I find that this sum (6,000) has been credited in them, but to what head it has been carried, or what has become of it, I cannot understand from the chopra.

The goomasta of the other four sowcars concurs in the above answer.

7. In the chopra of Purshotum Runchore, 21,000 rupees have been credited to the name of Vishnoo Narrain at interest of four annas per cent., but from your previous answer it appears that there is no such person as Vishnoo Narrain in Baroda. Can this sum, therefore, be considered as having been placed at interest according to sowcary custom?—Gopalrow Myral.] That he has examined the chopra of Purshotum Runchore for 1903, A.D. 1847. If this sum was placed at interest, according to sowcary custom, it should have been

balanced every year, according to sowcaree custom; but as this does not appear to have been done, I cannot say that the sum has been invested by others according to sowcaree custom.

The other four sowcars concur in the above answer.

Dated 17 August 1850.

(True translation.)

(signed) *M. Battye*, Assistant Resident.

Appendix, No. 2 A.

To *W. C. Andrews*, Esq., late Acting Resident of Baroda, Surat.

Honoured Sir, Surat, 8 August 1850.

It is a matter of deep regret that Colonel Outram should, without the shade of a shadow of evidence, implicate me in his note to your address. It appears to me that Colonel Outram has not been so kind as to take the trouble of making himself acquainted with the statement given by the goomasta, in which he makes no implicatory mention of me beyond the simple fact of my going to Baroda, and staying there for the alleged period of two months, and of my being related to Ladcoba.

From an examination of the yadee, I find that the transaction therein alluded to took place in 1847, while I proceeded to the pilgrimage of Dakore in 1846. It is a gross and malicious falsehood that I staid at Baroda for two months. I obtained from Mr. Pelly, the late acting Collector of Surat, leave for a period of one month only, for the purpose aforesaid. On my way to Dakore I stopped at Baroda for about 10 days only. Ladcoba is not my sister's son, nor is he related to me, either on the paternal or maternal side. The most important point to be borne in mind is, that I went to the pilgrimage in 1846, while the transaction took place in 1847. I have not seen Baba Nafra or his goomasta; I do not know anything about them; I have no dealings, no connexion, no acquaintance with the Baroda shroffs, or people. The goomasta does not implicate me, nor is my name to be found in the yadee. While there is not a particle of evidence against me, it is quite strange that a gentleman of Colonel Outram's station and rank in society should have, without allowing me an opportunity of affording explanation, used coarse, unbecoming, and abusive language, by calling me a scoundrel. Such language is truly painful to my feelings.

On taking the above explanation into consideration, you will, I humbly trust, be satisfied that the whole of the statement given by the goomasta is a tissue of gross falsehoods.

If the Colonel had been kind enough to take a little trouble to understand the matter well, he would not have credited a statement bearing on its very face marks of palpable and gross falsehoods, and would have spared the necessity of using foul language towards me.

Though Colonel Outram has been for so many years in Baroda, he seems not to have known the character of the Baroda people, who are proverbially blackguards of the basest character, and who would not for a moment fear to stain the fair reputation of an innocent and upright man. I beg humbly to request that, if you deem it proper, you will be good enough to send this explanation to Colonel Outram, with a request that he may favour me with an answer.

I remain, &c.

(signed) *Moongajee Dinanathjee.*

Appendix, No. 2 B.

To *W. C. Andrews*, Esq. late Acting Resident at Baroda, Surat.

Sir,

1. Copy of a paper or memorandum found amongst Baba Nafra's chopras.
2. Ditto, of explanation given by the Goomastas of the firm of Hurree Bhugtee, dated 31 July 1850.

I have the honour to acknowledge the receipt of your letter dated the 6th instant, forwarding copy of a note from Colonel Outram, with accompaniments as noted in the margin, and requiring my explanation on the subject.

2. In reply I beg respectfully, but most distinctly to declare, that I know nothing about the sums of money in Baba Nafra's memorandum, nor has a single rupee reached me directly or indirectly, from the firm of Hurree Bhugtee. In fact, I had nothing to do with that firm or its affairs, neither had I any personal acquaintance with Baba Nafra or any other goomasta in the employ of that house. All that I knew of Baba Nafra when I was at Baroda was, that he was said to be the head moonim of Hurree Bhugtee, and that he was one of the five or six individuals who had been declared by the British Government as bad characters, and as such prohibited from being admitted into the council of his Highness

Highness the Guicowar. Again, holding, as I was, quite an insignificant and lower graded appointment in the Account Department of the residency, there was scarcely anything in my power with which I could be of any service to the firm of Hurree Bhugtee, or their moonim Baba Nafra. Moreover you will yourself recollect if I ever had occasion to interfere in any matter depending in the residency connected with that house.

3. The paper found with Baba Nafra is headed "Memorandum of receipts and disbursements from the month of 2d Jest up to 5th Ashad Sood," and as I shall have frequently to refer to it, I beg to transcribe on the margin its debit side. It is supposed that I must have made use of your name in obtaining the large sums of money entered in this paper, but I humbly submit that such a supposition is quite gratuitous, for you were not at Baroda at the time these disbursements are stated to have been made. I believe you made over charge of the Baroda residency on the 27th May 1847, so that it was quite impossible for me, had I ever had such a criminal intention of enriching myself at the sacrifice of your reputation, to persuade any person possessing common sense to make over to me a present of a large sum of money for an officer whose power of doing him or his master any service had ceased, and who had left Baroda.

Rs.	*Rs.*	
18,000	- -	By Parukh Narrainrow Runsord, viz.:
	14,000	dated the 4th Vud (or 2d July 1847.)
	4,000	dated the 5th Ashadsood (or 17 July 1847.)
	18,000	
3,100	- -	By Sewbhagwutee Baee, dated 8 Vud (or 5th July 1847) taken into camp by Anna, on account of Larcoba.
500	- -	By Oodeya Sonar.
18,600	(21,600)	
2,400	- -	For house expense.
21,000	(24,000)	

4. I cannot gather, from the papers forwarded by Colonel Outram, what was the nature of the services or advantage expected or derived from me, in consideration of which the bribe or bribes were given to me, or else I should have been better able to prove that this is a downright roguery of Baba Nafra, practised to defraud his masters of their cash.

5. Notwithstanding the imperfect nature of the information sent to me, I shall endeavour to show by the two native papers themselves, that it is Baba Nafra, and he alone, who has profited by making entries, obviously fraudulent in the books of his principals. Colonel Outram thinks that the explanation given by the goomastas of Hurree Bhugtee implicates me, Moongajee, and a woman named Doolun, in receiving a large sum of money from the firm, or rather Baba Nafra. I would, however, respectfully observe, that on attentive and careful perusal of that paper, I do not find any implication therein cast on me; for after announcing the most important fact, a fact most fortunate to me, that there is no such firm as "Parukh Visnoo Narain," from which the sum of 21,000 rupees is stated in Baba's memorandum to have been received, it merely explains who I was, and where I was employed, and how I was related to Moongajee, and then adds that the sum of 21,000 rupees is credited and debited in the books of the firm for Sumbut 1903 (A. D. 1847), in the same manner as is done in Baba's memorandum. Now, if there is no such firm as "Parukh Visnoo Narrain" in existence, it follows as a matter of course that no such sum as 21,000 rupees credited under that head was actually borrowed by the then moonim for the use of the bank of Hurree Bhugtee, and when no such money was brought, the disbursements were not made in very deed.

6. There are two very important omissions in the explanation of the goomastas; viz., it does not show whether or not there is any such person as "Parukh Narrainrow Runsord," to whom 18,000 rupees are debited in Baba's memorandum, and whether the sum of 21,000 rupees, credited in their book of Sumbut 1903, as received from "Parukh Vishnoo Narrain," (for giving the supposed bribes) still continues to stand as a balance in favour of the said fictitious firm; if not, when, and in what way it is afterwards debited to that head. Had these points been cleared up, Colonel Outram would most probably have been able to see that it is the moonim or manager of the firm of that time, who has applied to his own use the money by an ingenious invention.

7. I am not Bhanej* of Moogajee, as stated in the explanation given by the goomastas, but I cannot refrain from stating an important truth, that he had proceeded on a pilgrimage to Dakore in May 1846, accompanied with other pilgrims, and in his way to Dakore staid for about nine or ten days at Baroda; this took place 11 or 12 months before the time the disbursements in Baba's memorandum are dated; and as for Doolun, I was acquainted with no female so named, and have, therefore, nothing to say about her.

* Sister's son.

8. With all the fictitiousness of the memorandum of Baba Nafra beyond the vague and indefinite mention of my name in one of its items as described in the margin, it nowhere shows that any sum of money was paid direct to me, and even with respect to this item of 3,100 rupees there is a very curious anomaly, nay an unaccountable thing, that on the date this sum is inserted as paid, Baba had in his hands only 2,000 rupees, as will be found by an examination of the different dates on which the fund is credited to the mysterious firm of "Parukh Vishnoo Narrain." Again, viewing the memorandum as a whole, Baba has, according to its own contents, achieved an impossibility, he has disbursed 24,000 rupees, (twenty-four thousand), out of a sum of twenty-one (21,000). His addition of the first three principal items on the debit side is incorrect, instead of 18,600 it should correctly be 21,600; and when to this is added the last item of "house expense," 2,400 rupees, the total expenditure amounts to 24,000 rupees, not 21,000.

3,100 by Sobagwutee Bae, dated 8 Vud, taken into camp by Anna, on account of Larcoba.

9. Having thus far explained to the best of my means the utter impossibility of any present of money having been given to me either for the use of myself or others, and pointed out *primâ facie* evidence of the commission of a fraud by Baba Nafra, which he was evidently enabled to practise by leading his credulous masters to believe that the whole or the greater part of the money was paid to official persons, whom, perhaps, they have never seen, I venture respectfully and earnestly to appeal to your justice to testify from your own personal knowledge of my private and public character and circumstances whether you consider me capable of doing such mischiefs as are attributed to me by Colonel Outram.

10. In conclusion, I have to express my feelings of deep regret at the harsh language which Colonel Outram has applied to me in his note to your address, and at the same time my anxious hope that the foregoing explanation will prove satisfactory to you.

I have, &c.
(signed) *Ladcoba Atmaram,*
Late Deputy Accountant in the Baroda Residency.

Broach, 12 August 1850.

Appendix, No. 2 C.

Mancoba, Surat, 24 September 1850.

WHEN you were in Baroda, did you copy any English papers for any sowcar, and if so, what is the name of that sowcar; what did you write for him; what was paid to you for the trouble, and through whom did you receive the same?

Give an answer to the above inquiries, and state nothing but the truth, and the whole truth. In doing so you will not get any one or yourself into difficulty, as you were not then a Government servant.

Yours, &c.
(signed) *W. C. Andrews,*
Late Acting Resident at Baroda.

Mancoba Moroba, Dhoolia, Khandeish.

(True copy.)
(signed) W. C. Andrews.

To *W. C. Andrews,* Esq., late Acting Resident at Baroda.

Sir,

I HAVE the honour to acknowledge the receipt of your honour's letter, dated the 24th ultimo, regarding the query. In reply to it, I beg most respectfully to state, that I have had good acquaintance with a respectable young man, whose name Unna, son of Baba, the head karbharee of the Hurree Bhugtee's firm, who often came to me; one day he desired me to copy out in duplicate an English report of the Arbitrators of the Hurry Bhugtee, which was brought with him and gave it to me; and at the same time he promised to pay to me a good reward for my trouble, which work I have done with carefully. But after few days, I obliged to proceed to Surat without receiving my trouble, as your honour receive a letter from the magistrate of Surat, requesting your honour to send me soon there to testify what had happened in the Court of Kotwal. From thence I wrote a letter to the above stated man to pay my labour according to promise to my brother Ladcoba, which he did, but I am not informed by Ladcoba what amount paid for my trouble, but only acquainted by a letter that he deducted the amount of my trouble from the amount which I owe to him, on
lo? account of *ju*dging me about a three or four months, and brought for me some articles, during my residence with him at Baroda.

I do not know more than what I have above scribe.

I regret also to state that I have been prevented by ill health during the last three or four days from getting this answer ready as soon as I should otherwise have done.

I remain, &c.
(signed) *Mancoba Moroba.*

Dhoolia, 3 October 1850.

Appendix, No. 2 D.

Sir,

HAVING been informed by Mr. Andrews that in a private letter recently received by him, you have expressed that it is supposed that have instigated a Bhaderwa* chieftainess to bring

---

* *Note by Lieutenant-colonel Outram.*—Here is internal evidence that Keshoo Row was cognizant of the charge made against Baba-Furkia, otherwise how did he thus at once jump at the conclusion that a "Bhaderwa" chieftainess was referred to? I had made no mention of a Bhaderwa chieftainess in the private letter referred to (that dated 11 September J). My words were, "brought against him by a chieftain of the Rewa Kanta;" and the Rewa Kanta contains many chiefships besides Bhaderwa.

bring some charges against Baba Furkia, I feel it necessary for the sake of my character to take the liberty of declaring to you that this supposition is entirely groundless and false.

I have never seen Bhaderwa, nor do I know any of the ladies there; in fact while I was native agent in the Rewa Kanta, I held no communication with any of the Rewa Kanta thakores, or rajas, or their men, any further than the duties of my office required; and during the period of nearly two years and a half since I left that part of the country, I have had no intercourse of any kind with any of them save Chotta Oodeypoor, the rajah of which being related with the Bansda Raja by marriage, they are in the habit of communicating with one another, and it would be too unpolite in me not to write a complimentary reply to that rajah once or twice in a year, after being honoured three or four times by similar letters from him during that period.

In the absence then of any intercourse with them, how could I instigate any Bhaderwa people to accuse Baba Furkia, and what obligations do they owe me that for my sake they should take it upon themselves to run the risk of accusing him, for they must know well that should their accusation be false they must suffer the consequences, because the British Government is too just to allow any man to be falsely accused by such people with impunity.

Further, were I so mean as to do such a thing, and could effect it so easily as you seem to imagine, what (I beg most respectfully to observe) had prevented my making the attempt when I was in the Rewa Kanta, or at least in September 1848, when Baba Furkia was gratifying his vindictive designs against my father; what influence can I now have in that province, and what motives can I have in acting so basely on the present occasion?

Besides, if nothing else, the fear of the interception of my letters in such times alone would have been sufficient to prevent me from putting myself into communication with any parties in the Rewa Kanta on such subject.

In short, I could say much in my defence, but as under the present circumstances I can hardly expect to be believed, I need not lengthen this most unpleasant letter which it has come to my lot to address to a gentleman like you, whose patronage it was at one time my ardent desire to obtain. I shall, therefore, with due deference conclude with the following remarks.

That in the state of the feelings that exist in the minds of both parties, it is very natural that each should indulge in, or place implicit reliance upon such suppositions, however absurd or groundless they may be, and that mortal judges who cannot see beyond a limited range may sometimes believe in false suppositions, and in consequence condemn the best and most innocent persons. But there will come a time when all shall be tried alike without any distinction by the Eternal Judge, whose eye can penetrate through the secret recesses of every one's hearts. Truth alone shall then be respected, and vice shall cease to triumph over virtue. There every party's doubts and prejudices shall be at once cleared, and under this firm conviction, I fear not the persecution that I may probably have to undergo for being supposed to be the instigator of the complaints brought forward by some of the Bhaderwa ladies against Baba Furkia.

Hoping to be pardoned for venturing (at such a crisis) to express my sentiments so freely to you,

I remain, &c.

Surat, 22 September 1850. (signed) *Kessow Nursing.*

(True copies.)

(signed) M. Battye, Assistant Resident.

Appendix, No. 3.

(No. 1.)

TRANSLATION of the Deposition on oath of Damodhur Doobubdass; aged 40 years; inhabitant of Baroda; Goomasta in the firm of Hurree Bhugtee, made before the Resident at Baroda, on the 27th August 1850.

Question. In examining the private dufter of Baba Nafra on the 31st ultimo, a yad of 21,000 rupees was found in it, at which time you were present; therefore, state what occurred on that occasion?—*Answer.* The Resident had sent for the private chopras of Baba Nafra, as well as those belonging to the firm of Hurree Bhugtee, which were undergoing examination in a room of the residency, at which time the Guicowar's karbarry Shumbhooram was present; the kamdar of the Resident was engaged in examining the dufters also; and near him was the private goomasta of Baba Nafra; and while Baba's private dufters were being examined, a Maratha yad of debit and credit for 21,000 rupees was found in the presence of the whole of these persons; the carcoon who found the paper in the dufter

which he was examining, read it over, wherein 21,000 rupees is credited to the name of Vishnoo Narrain. The native agent of the residency and Shumbhooram asked every one whether there was a sowcar of that name, and whether they knew any money transactions were carried on with such a person? They all replied that there is no one in Baroda of the name of Vishnoo Narrain, as they never heard of such a name before; nor is any money transaction carried on with such a person by our firm. On the debit side 3,100 rupees is entered in the name of "Sobagwuntee," but the figure 3 was afterwards struck out. Below this sum, and 18,000 rupees above it, which is entered in the name of Narrain Row Runchore, an entry is made to the effect "Taken by Anna to camp, for Larcoba." On being asked who Larcoba is, I said he was a relative of Moongajee; and as regards the name of "Sobaguntee" written in it, those who were present began to ask one another who that person was, when they were told "Sobagwuntee" was a kept woman, that Larcoba was sent for by Moongajee, who got him employment here, and while Mr. Andrews remained here as Acting Resident, both Larcoba and the woman were here, which every one present knowing this, said so, but where this woman now is, no one then knew. At the time the paper was found in the dufter, the above mentioned inquiries were made, which was made known to the Resident, and also showed him the yad in question, to which that gentleman attached his signature. Sumbhooram read a memorandum to the Resident, stating where Larcoba and the woman in keeping are now, at which time I was present. From this I learned that the woman's name is Doolun, who lived in camp, but now is at Ahmedabad; Larcoba and Moongajee, who are related to each other, are employed at Surat under Mr. Andrews. In this yad of 21,000 rupees, 24,000 rupees was originally written on the credit side, and under it an entry of 4,000 rupees is made, dated 2d Jest 4th, which sum was received at three different times, viz., 350 rupees, 550 rupees, and 3,100 rupees, of the latter sum the figure 3 has been struck out, and from 4,000 rupees the figure 4 was also struck out, and figure 1 placed instead. The item of 24,000 rupees, in the name of Vishnoo Narrain, was altered to 21,000 rupees, thus reducing 3,000 rupees from the credit side, and on the debit side 3,100 rupees was entered in the name of "Sobagwuntee," from which the figure 3 was struck out, and from the total of the debit side 24,000 rupees, the figure 4 has been altered to 1, making it 21,000, thus striking out the sum of 3,000 both from the debit and credit sides.

What is your opinion as to the object of striking out the sum of 3,000 rupees from the yad? You being a sowcar's goomasta must be acquainted with the meaning of accounts which you have to write daily?—An entry is made under the name of "Sobagwuntee" for 3,100 rupees for payment to Larcoba, and taken by "Anna," who is the son of Baba. In order to strike out the 3,000 rupees, the totals of the debit and credit sides had to be altered. But the object of putting down an assumed name on the credit side of the item, and thus altering the figure, is to show that according to yad, money has been paid; and the reasons for altering the figures are, that no one should know of his intentions but himself, so that when the yad is seen by any one, it will be said that the writer who wrote it can only know, any other person would not easily understand it; that the alteration in the yad took place after it was written. The Resident then said that we all had expressed suspicions regarding the yad, but as Mr. Andrews was not here at the time, what necessity was there to pay anything to his kamdars and others? but we replied, Larcoba was here at that time, and Mr. Andrews had just left this. That business of importance was going on at Surat, this every one present told the Resident, but what they said that important business was, I do not recollect.

(No. 2.)

TRANSLATION of the Deposition on oath of Runchore Nathoo; religion, Hindoo; caste, Brahmin; aged about 22 years; inhabitant of Baroda; profession, Goomasta, in the employ of Baba Nafra, made before the Resident, on 27 August 1850.

Question. WHEN the private dufters of Baba Nafra were undergoing examination at the Residency, a yad of 21,000 rupees was found, at which time you were present, state how this occurred, and what was said during the inquiry?—*Answer.* I was present when the chopras of Hurry Bhugtee and private dufters of Baba Nafra were undergoing examination, and at which time a yad of 21,000 rupees was found, but from what dufter I do not recollect, but as an entry was made in the chopra that the sum of 4,000 rupees from the 18,000 rupees was paid to me, I was asked what I had done with the money; I replied that whatever is written in the chopra must be correct. Further inquiries were made among the goomastas of Hurree Bhugtee and others regarding the other items in the yad, but I do not recollect what they were.

You have stated that what is written in the chopra about the 4,000 rupees is correct. As the chopra has been shown to you, state what answer did you make to it?—The Sirkar showed me the chopra, but what reply I made to it I do not recollect.

It is not many days since the inquiry was made, and in every question put to you, you say that you do not recollect; during the inquiry you were asked about the item of 4,000 rupees, and you made your reply in the presence of many persons, and now you will not repeat what you had said before. In the yad it is written that the amount of 4,000 rupees forms a portion of 18,000 rupees paid to you on Assar Sood 8, therefore state to whom you gave this amount, from where and how you got it?—In the chopra it is written that the amount

was

was taken from Purshotum Runchore, and paid to Narron Row Runchore, but I do not recollect where I got it, or to whom I paid the money.

Who is Vishnoo Narrain; as you are a private goomasta of Baba, did you at any time bring money from, or take to Vishnoo Narrain, if so, when did you so, and where is his house?—I do not know who Vishnoo Narrain is, nor did I ever take or bring money from his place, nor did I hear of such a name.

When an inquiry was made at the time the dufters were being examined, you were asked about the item of 4,000 rupees; where were the native agent, Sumbooram, and the others sitting; and how far were you from them?—I do not recollect.

(No. 3.)

TRANSLATION of the Deposition on oath of Nathoo Gulall; religion, Hindoo; caste, Dussalar Banian; profession, Goomasta of Baba Nafra, aged about 52 years; inhabitant of Baroda, made before Resident on the 27th August 1850.

Question. WHEN the private dufters of Baba Nafra were being examined at the Residency, a yad of 21,000 rupees was found on the 31st July 1850, at which time you were present, state what took place at the time?—*Answer.* When the yad of 21,000 rupees was found, my son Runchore was present. In the evening my son informed me that my attendance was required at the Residency, when he replied that as I was living separate, would not come, therefore to send a Government peon for me. When he came home he told me this circumstance. The second day the Jassood of Hurree Bhugtee came to call me, with whom I went to the Residency. The native agent, Sumbooram, and others, goomasta of Hurree Bhugtee, were all sitting there. The native agent asked me who Vishnoo Narrain was, as 21,000 rupees has been credited to his name in the yad; I replied, I do not know him, nor did I bring any money from him, nor have I seen him. As Baba desired, so his name was entered in the chopra. This is what I remember having stated.

On what business are you employed at Baba, and who make entries in the chopras, &c.? I am employed in making entries in the chopras belonging to the private shop of Baba, called "Purshotum Runchore," and the chopras are written by me.

In the private dufter of Baba, a yad of 21,000 rupees was found, and on referring to the chopra of the shop of Purshotum Runchore for Sumwut 1903, there is an item of 21,000 rupees credited on 2d Jest Sood 13th (26th June) in the name of Vishnoo Narrain, which amount has also been debited. As you write the chopras belonging to the private shop of Baba, state from where the amount was brought, and in what manner. On the debit side entries are made in the names of Narrain Runchore, &c., state to whom the amount was paid, and in what way?—Whether the amount was brought, and from whom, and whether the same was paid to Narrain Runchore, or whether payment were made to the other persons, as stated in the yad, I do not at all know, because as Baba's Mahratha carkoon or his son desire me to make the debit and credit entries, so I do them; and in whatever way he directs me to make the entries in the chopras in his presence, I do them; but whether the amount has been accordingly paid or not I do not know.

If credit is afforded for sums borrowed or received from persons, and in the same way a debit is afforded to such persons, is that person's "khata," whether it be closed annually or at pleasure, compared with your chopras, or how?—According to what Baba's son desired me, I made the entries, but the sowcars, &c. accounts, if closed annually or at pleasure, are compared with our chopras. If any doubt existed, a reference would be made to Baba on the subject, in consequence of my not being aware of the receipt and disbursement. The item of Vishnoo Narrain has not been compared, nor did the owner of it come to me, nor do I know anything about it.

If a loan was required from any one, who used to give the "chittee" at Baba Nafra's?—I used to write the "chittee," but Baba would sign it. The amount of the "chittee" would be debited and credited in the chopra.

Did you write any "chittee" for the money which has been credited to Vishnoo Narrain; if any money is brought to Baba's house in a lump, is it customary to write a chit?—It is not customary to give a "chittee" where an open account is kept. In the amount credited to Vishnoo Narrain, it is written that a "chittee" has been given, but which I did not give, nor do I recollect having written it, as I went to Nowsarry on some business of Baba. On my return, Baba's son, by name Appa Saheb, caused me to make the entry from some paper he had by him. I do not know anything about giving or receiving the money.

In the yad the amount originally credited was 24,000, but afterwards both on the debit and credit sides 3,000 rupees has been struck out, thus reducing the total to 21,000 rupees. Do you know why this was done?—I do not know, as Baba himself made the yad, and afterwards got me to make the entry in the chopra. For what reason he made the alterations I do not know. The alterations must have been made at the time he framed the yad for his own understanding, and afterwards he desired me to write, therefore how can I know anything about it.

The copy of the yad of 21,000 rupees is here shown to you, state whether the alterations in the items were made at the time the yad was prepared or after it?—Having seen the yad of 21,000 rupees, I beg to state that the alterations do not appear to have been made from an oversight. If from oversight, the alteration would have been made in one place on the

credit side, under the head of "Vishnoo Narrain;" of the seven items, the third, viz., 4,000 rupees, has been altered to 1,000 rupees, and from the last item composing this sum, viz., 3,100, the figure 3 has been struck out. In the amount of 24,000 rupees in the name of Vishnoo Narrain, the figure 4 is altered to 1, thus making it 21,000 rupees. On the debit side, from the amount of 3,100 rupees, the figure 3 is struck out, leaving 100 rupees, thus altering the total from 24,000 to 21,000 rupees, by substituting the figure 1 for 4. These alterations have been made after the yad had been prepared, but whether the amount was received less, or whether the alteration had been made after satisfying himself as to the correct amount received, I do not know, as I was not present when the yad was made, which I have stated above. And Appa Sahib got me to make the debit and credit afterwards from the yad. The alteration must I imagine have been made at the time the yad was prepared, though I cannot say so positively; but on being asked as to what is customary in such matters, I have stated all I had to say from seeing the yad.

In the yad 24,000 rupees is entered on account of house expense, do you know to whom it was paid?—This money was not paid by me, nor do I know anything about it.

(No. 4.)

TRANSLATION of the Deposition on oath of Echaram Vunarsee, inhabitant of Baroda, Goomasta of Hurry Bhugtée, made before the Resident on the 28th August 1850.

Question. ON examining the private dufter of Baba Nafia, a Mahratha yad of 21,000 rupees was found in it, at which time you were present; therefore state how this happened, and all that is true?—*Answer.* The Resident had sent for the private dufters of Baba Nafra, as well as those belonging to my firm, which were being examined by the kamdars at the Residency, at which time I and Damodhur Doolub, of my shop, and others were sitting in one of the rooms of the residency. On Assar Vud 7th (31st July) as the kamdars were examining the dufters, a Mahratta yad of 21,000 rupees of debit and credit was found in the private dufter of Baba Nafra, in the presence of us all. The carkoon then showed it to the native agent and Shumbhooram, in which 21,000 rupees is credited to Vishnoo Narrain, from which 3,100 rupees is debited to "Sobagwuntee Baee," and above it 18,000 rupees to Narran Row Runchore. Below the entry of "Sobagwuntee," it is written that "Anna has taken to camp to pay Larcoba;" again, below this, two other items are debited, viz. to Ooka Sonee and house expense. The "Ankra" of the yad has been altered both in the debit and credit sides, by striking out the sum of 3,000 rupees. On being asked, I said, that there is no person of the name of Vishnoo Narrain in Baroda, nor do I know that any transaction was carried on with such a person. Larcoba is a Surat parboo, and a relative of Moongajee, who kept Larcoba with Mr. Andrews on his part. Mr. Andrews when Acting Resident, had great regard and trust in Moongajee. When Moongajee came to Baroda, he got Larcoba an employment under Mr. Andrews, and that gentleman kept also his regard on Larcoba. Larcoba resided in camp, and the kept-woman also lived there; from which circumstance the names of Larcoba and the Baee have been written together; and the amount paid in camp by Anna, son of Baba; afterwards the figure 3 has been rubbed out with the figure from the sum of 3,100 entered in the name of the Baee. In the same way the amount on the credit side has been altered. At that time the case of Gungadhur Shastree was going on, and as the amount was sent by Baba, with his own son, every one was of opinion that the money was for Larcoba, &c. The Resident then observed, that suspicion is entertained about the Shastrees and other cases, but Mr. Andrews had left this prior to the date of the entry in the yad; to this we replied, that payment is to be made when necessary. In the meantime a separate memorandum is kept for private information; but in the chopra different dates can be put, and the amount carried to any head; this can be done; accordingly the money may have been paid before, and the debit and credit being made afterwards, the dates can never agree. At the time the yad was found, what every one said on the subject, I have accordingly deposed as far as I can recollect.

In the private dufter of Baba, a yad of 21,000 rupees was found, copy of which is shown to you. In it there was a debit and credit, first for 24,000 rupees, but was afterwards altered to 21,000. State was this done by mistake at the time, or how?—Having looked at the yad, I have to state that if it was an error, the correction would be in one amount on one side; but in this yad 24,000 rupees is credited to Vishnoo Narrain, and the same amount is debited; afterwards the figure 4 of 24,000 being altered to 1 of this sum, 4,000 rupees has been entered as received on different dates, from 2d Jest Vud, 4th to 8th; of this sum, 3,100 rupees was received on the 8th; adding this with the other two items above, it gives a total of 4,000 rupees; and after making other entries below it, the total comes to 24,000 rupees. Afterwards the item 4,000 rupees was altered to 1,000, and the item of 3,100 was altered to 100 rupees; and the grand total of 24,000 was altered to 21,000. On the debit side, 3,100 rupees is entered in the name of Sobagwuntee, of this sum the figure 3 is struck out. In the same way the grand total of 24,000 is altered to 21,000, by altering the figure 4 to 1. From the fact of so many alterations having been made, I am of opinion that it was done intentionally, for a particular purpose.

(No. 5.)

TRANSLATION of the Deposition on oath of Moonshee Abdool Vd. Rehman; religion, Moosulman; caste, Syed; profession, service; aged about 26; inhabitant of Rutnagurry, but now residing in Baroda camp; made before the Resident on the 29th of August 1850.

Question. As you were present when an examination of the duftur of Baba Nafra was going on at the Residency, at which time a yad of 21,000 rupees was found; state in what way the examination was going on, and on what date; state all that you know?—*Answer.* About the 31st July 1850, native agent Soorujram, and the Durbar karbarry Sumbooram, were sitting in one of the residency rooms for the examination of these dufters; I, Succaram Nurreadkur Dukshenee, carcoon Hurry Punt, Heerachund, and Treecumball, besides the goomastas of Hurry Bhugtee, whose names I do not recollect, but there were about 15 or 20 persons. In the duftur I was examining, I found the yad of debit and credit of 21,000 rupees above stated; on reading it, I found the name "Sobagwuntee" in it, but which appears to have been afterwards struck out with a pen; and there was also written the words, "taken by Anna to camp, on account of Larcoba." I then gave this yad to Shumbooram, who after reading, gave it to Soorujram, native agent. As we were all discussing about the yad, Sumbooram said that Larcoba was employed in the residency office in the time of Mr. Andrews, and that gentleman had a kept-woman whose name may have been put down as "Sobagwuntee." On this I said also, that Larcoba was in camp in the time of Mr. Andrews, and the kept-woman, by name Doolun, also lived there. While we were discussing, Sumbooram said that after Mr. Andrews had come from Surat, one purboo, by name Moongajee, came here, who got his relation, by name Larcoba, employed in the residency. That Mr. Andrews had a great regard for Moongajee, as also for Larcoba. In this way the inquiry proceeded. On this subject Sumbooram prepared a yad, which he read to the Resident, as also the one found in the dufter; on this the Resident said, that as Mr. Andrews was not here but in Surat, on the date mentioned in the yad, what reason could there be for giving money to his karbary? The goomasta of Hurree Bhugtee then had a consultation among themselves, and afterwards stated something to the Resident, but which I do not recollect now; I have stated all that I recollected.

TRANSLATION of the further Deposition on oath of Moonshee Abdool Rehman, on the 10th September 1850.

Question. IT appears from the yad presented by the Guicowar's carkoon Shumbooram, that you had furnished information regarding "Sobagwuntee Doolun," but in your deposition you have not said anything about the said woman Doolun having been dismissed. What had taken place at that time, and what had you then stated; recollect well, and state all that is true?—*Answer.* I have deposed all the particulars on this subject in my former deposition, but I omitted to say that woman, Doolun, was dismissed on account of misconduct with a Bargeer in the Huzoorat Paga, and that she is now in Ahmedabad. I now depose it, in consequence of a discussion having taken place between myself and Sumbooram, by which this came to my recollection.

How did you come to know of this matter?—I heard of it because I live in the camp.

When was this woman Doolun dismissed?—About five or six months after Mr. Andrews went to Surat, Doolun woman returned here from that place; when all the people said that the reason of her return was as above mentioned; this is how I came to know it.

(No. 6.)

TRANSLATION of the Deposition on oath of Petamber Govind; religion, Hindoo; caste, Dussa Kuryla Brahmin; aged 60 years; profession, Goomasta; in the firm of Hurree Bhugtee; inhabitant of Baroda, made before the Resident on the 29th August 1850.

Question. WHEN the private dufters of Baba Nafra, sent for at the residency, were being examined at the residency, you were present, at which time a yad of 21,000 rupees was found. State in what way the inquiry was instituted, to the best of your recollection?—*Answer.* About Assar Vud, the date not known, but one day, as I was at the residency, where the chopras, &c. were being examined in a case relating to our shet, the native agent, Sumbhooram, and about five or six carcoons of the cutcherry, also our shet's goomastas, Damodhur, Echaram, Lulloo Bhugwan, Bhayejee Dulputram, myself, Runchore, and Nuthoo, the two latter goomastas of Baba, were sitting in one of the rooms, we and the other carcoons were examining the private dufters of Baba, when a yad of 21,000 rupees was found; those who knew Maratta read it; I also read it, from knowing Maratta. In that yad, 24,000 rupees was originally credited to Vishnoo Narrain, but which was afterwards altered to 21,000 rupees. On the debit side, 18,000 rupees is debited to Narrain Row, below which is 3,100 in the name of Sobagwuntee Baee, but which has been struck out, and the following words written:—"Taken to camp by Anna for Larcoba." The figure 3 appears to have been struck out afterwards, leaving 100 rupees. From the total of 24,000 rupees, 3,000 rupees has been reduced, leaving 21,000. A question being raised

as to who Vishnoo Narrain was, and whether he was in Baroda or not, every one said that there was no such person living in Baroda, neither did they know him. A discussion then took place as to who Larcoba was, when the moonshee said that in the time of Mr. Andrews, Larcoba was employed in the office, and was related to Moongajee. That Sobagwuntee Baee was a kept-woman of some one, but by whom kept and what was her name, I did not hear. This is what they all then said. I know nothing more.

In the yad of 24,000 rupees, found in Baba's dufters, 3,000 rupees has been struck out, leaving 21,000 rupees, copy of which is here shown to you. State for what purpose the alteration has been made?—Having seen the yad, I beg to state that it cannot be from an oversight the 3,000 rupees were struck out, because the 3,000 rupees have been altered in many places on both sides of the debit and credit. The totals have also been altered, which appears to have been done with fraudulent motives, in order that no one should know what it meant.

(No. 7.)

TRANSLATION of the Deposition on oath of Viswanath Gopal; religion, Hindoo; caste, Deccanee Brahmin; profession, service; inhabitant of Baroda; aged 28 years; made before the Resident on the 29th August 1850.

Question. WHEN the private dufters of Baba Nafra, sent for at the residency, were being examined, you were present, at which time a yad of debit and credit of 21,000 rupees was found. State in what way the inquiry was instituted, and on what day it took place?—*Answer.* About the 30th or 31st of July 1850 (the exact date I do not know), native agent Soorujram and Durbar carbaree Sumbooram were sitting in a room examining Baba Nafra's dufters, Succaram, moonshee, myself, Heerachund, carcoon Ballajee, &c., also the goomasta of Hurree Bhugtee, in all about 20 persons were sitting there, when a yad of debit and credit of 21,000 rupees was found, but by whom I do not recollect; but carcoon moonshee, gave this yad to Sumbhooram, who, after reading, showed it to us all. In it 24,000 rupees was credited to Paruck Vishnoo Narrain, which amount was reduced to 21,000. On the debit side, 18,000 rupees was debited to Paruck Narrain Row Runchore, and below it is 3,100 rupees in the name of "Sobagwuntee Baee," which was struck out, and the following words written: "Taken by Anna to camp for Larcoba." The figure 3 has been struck out, leaving 100 rupees quite plain. Below it, 500 rupees is entered on the name of Ooka Soonee, and 2,400 rupees on account of house expense, thus reducing the total of 24,000 rupees to 21,000 rupees, by striking out the 3,000. On this every one had their suspicion, and they began to ask each other about it, when the chopras of Baba in Guzerattee and Mahrattee were sent for, and compared with the yad, by which the amount of the credit side agreed, but not with that of the debit side. A question being raised who Vishnoo Narrain was, the goomasta of Hurree Bhugtee said that there was no person of that name in Baroda, nor does he know him. Inquiries were then made about Larcoba and Sobagwuntee Baee, when all of them said that after Mr. Andrews had come to Baroda as Acting Resident, one Moongajee came from Surat and lived in camp; that he was on intimate terms with Mr. Andrews, and sent for Larcoba, his relative, and got him a place in the office; he also lived in camp, and Mr. Andrews had a great regard for him. Sobagwuntee was a kept-woman living in camp, at whose place Larcoba used to frequent, as appears from the statement of the moonshee and others. From this Shumbooram prepared a yad of what he heard, and read it before the Resident. That gentleman said that Mr. Andrews was not here on the date mentioned in the yad, therefore what necessity was there to give any money to his karbarry. On this the goomasta of Hurry Bhugtee said something, but I do not recollect to what case he alluded. As I do not remember, I cannot say anything about it, but as far as I recollected I have deposed it. Moongajee was seen going about in the city in a garry.

(No. 8.)

TRANSLATION of the Deposition on oath of Hurry Appajee; religion, Hindoo; caste, Deccanee; profession, service; aged 28 years; inhabitant of Nassic; now employed in the Residency Office; made before the Resident on the 29th August 1850.

Question. WHEN the private dufters of Baba Nafra, sent for at the residency, were being examined, you were present, at which time a yad of debit and credit of 21,000 rupees was found. State in what way the inquiry was instituted, and on what day it took place?—*Answer.* On the 31st July 1850, I went to the Resident to read and obtain his signature to some public papers, at which time Soorujram, the native agent, and Sumbooram, the Durbar carbarry, moonshee Heerachund, Succaram, &c. were sitting in the room and examining the dufters, near them were the goomasta of Hurry Bhugtee, in all about 10 or 15 persons were sitting, when from these dufters a yad of debit and credit of 21,000 rupees was found. Sumbooram and others began to speak to each other, when the moonshee said that Larcoba used to live in camp, and that "Sobagwuntee" was a kept-woman. In this way the inquiry, as well as the reading of the yad was going on. After obtaining the Resident's signature to the papers, I left the place. This is all that I heard. Sumbooram was also saying that Larcoba resided in camp, and that the kept-woman Sobagwuntee may also be living there.

Sumbooram

Sumbooram prepared a yad regarding the inquiry about the yad of 21,000, which was read to the Resident, who said that Mr. Andrews was not here on the date mentioned in the yad, therefore what necessity was there to pay any money to his karbarree; and as the goomasta of Hurree Bhugtee, &c. were present at the time, state what they all said? —When the discussion was going on between them, I have stated all that I heard above. Afterwards Sumbooram may have prepared and read a yad to the Resident, but I was not present, being then in the cutcherry, therefore I do not know.

(No. 9.)

TRANSLATION of the Deposition on oath of Lulloo Bughwan; Religion, Hindoo; Caste, Brahmin Wayra; Profession, Goomasta, in the firm of Hurree Bhugtee; aged about 55 years; Inhabitant of Baroda; made before the Resident on the 29th August 1850.

Question. WHEN the private dufters of Baba Nafra were sent for at the residency, and undergoing examination, you were present there with the chopras of Hurree Bhugtee's firm, at which time a yad of debit and credit of 21,000 rupees was found in Baba's private dufter; state in what way the inquiry was instituted, and what did you say, and on what day it took place?—*Answer.* About Assar Vud, 5th or 7th, Sumvut 1906 (30th, 31st July 1850), the native agent, Soorujram and the Durbar carcoon Sumbooram were sitting in one of the residency rooms, and the examination of Baba's private dufter had commenced, Bhyejee Gella, Bhugwan Bhowanee, myself, Echaram, Damodhur Petamber Govin, Dulput Kessur; these were our goomastas; also, the private goomasta of Baba, by name Runchore, together with Ballajee Heerachund, &c. About five carcoons were examining the dufters, when a yad of debit and credit of 21,000 rupees was found, which Sumbooram read, as also those who knew Marratà. In it 24,000 rupees was originally credited in the name of Vishnoo Narrain, and afterwards altered to 21,000 rupees; on the debit side 3,100 rupees has been entered in the name of Sobagwuntee, the figure 3 of which has been struck out, leaving 100 rupees; above this sum 18,000 rupees is debited on the name of Narrain Runchore. Below the item of 3,100 rupees, an entry is made that "Anna has taken to camp for payment to Larcoba." This I heard. Afterwards, Sumbooram and native agent asked all of us who Vishnoo Narrain was. We all replied there was no such person in the city, nor had we any dealings with his shop, and that this name appeared to us false. Afterwards inquiry being made about Larcoba, moonshee, carkoon Sumbooram, and others said, that after Mr. Andrews came to Baroda, as Acting Resident, Moongajee followed him, who was on intimate terms with that gentleman. This Moongajee sent for his relative, Larcoba, from Surat, and got him employed under that gentleman, for whom Mr. Andrews had great regard. That "Sobagwuntee" was a kept woman, living in camp, and from what the moonshee said, her name was Doolun. In this way the inquiry was made, and Sumbooram prepared a yad from what every one had said, and read it before the Resident; on this the Resident said that Mr. Andrews was not here on the date mentioned, and what necessity was there to give money to his carbarry? We the whole of the goomastas then said to the Resident, that as the Nawab's case was pending at Surat, the money may have been paid on that account, or that, as the Shastree's case was pending here, if any promise had been made beforehand to pay the money, the same may have been paid afterwards, consequently the date will not agree, because Baba was in the habit of making entries in the chopra, whenever he likes, of the payments which he made, and also to debit and credit it to any head he liked. But there being no such person as Vishnoo Narrain, and as the amount has been debited and credited, I am clearly of opinion that this money has been paid to Larcoba, &c.

In the yad of 21,000 rupees, found in Baba's dufter, the original amount of which was 24,000 rupees, which was afterwards altered to 21,000; was this alteration made from an oversight, or how; after seeing the copy of the yad, give your opinion?—Having seen the yad, I have to state, that if from an oversight, the alteration would be in one place, but the alteration has been made on both the debit and credit sides, thus reducing 3,000 rupees from it. From this it appears that the alteration was intentionally made, in order that no one should know anything about it, and thus recorded it in the dufter, so that whenever he sees it he will at once understand it; but this would not be the case with another person. That such has been done to keep it a secret is my opinion, on reference to the yad.

Do you know if there was any talk going on about Moongajee going to the city?—Sumbooram had said about Moongajee having gone in Mr. Andrews' garry to the city. I have also seen Moongajee coming to the city two or four times, which I said, as well as the moonshee. I have also seen Baba's son, Anna, coming and going to Larcoba's house in camp. This I also mentioned.

(No. 10.)

TRANSLATION of the Deposition on oath of Bhugwan Bhowanee; Religion, Hindoo; Caste, Dussa Dessawal Bramun; Profession, Goomasta, in the service of Hurry Bhugtee; made before the Resident, on the 29th August 1850.

Question. WHEN the private dufters of Baba Nafra sent for at the residency were being examined, as also the chopras of your firm, you were present, at which time a yad of 21,000 rupees was found in the private dufter of Baba; state in what way the inquiry was instituted

regarding it, and what you said, and on what day this took place?—*Answer.* On Assur Vud 7 (31 July), native agent, Soorujram and Durbar karbarry Sumbooram were sitting in one of the residency rooms; the carcoons were examining the private dufters of Baba, at which time the goomastas of my shop, Damodhur, Echaram, myself and others, in all about 17 or 18 persons were sitting, when a yad of debit and credit of 21,000 rupees was found in Baba's private dufter, which was given to Sumbooram by a carcoon; the former made it over to carcoon Wissooneth, and as he was reading I heard him say that 21,000 rupees was credited to Vishnoo Narrain, and on the debit side 18,000 rupees in the name of Narrain Runchore, 3,100 rupees in the name of "Sobagwuntee Baee," and below it is written, "taken to camp by Anna for Larcoba." There were other entries in the name of Ooka Soonee, &c. Every one at the time said, that in the yad the original amount of the debit and credit sides was 24,000 rupees, but that it was afterwards altered to 21,000 by striking out 3,000 rupees. Sumbooram and Soorujram having asked who Vishnoo Narrain was, every one said that there was no such person in Baroda, neither had they ever had any money transactions with him. As regards Larcoba, he is an inhabitant of Surat, and Moongajee got him employed in the residency office under Mr. Andrews, who had great regard for him. That "Sobagwuntee" was a kept woman, by name Doolun, which I heard the moonshee say, also that she is not in camp but in Ahmedebad. From the sum of 3,100 rupees, in the name of Sobagwuntee, the figure 3 is struck out, leaving 100, and as it is written that "Anna (Baba's son) had taken the rupees to camp," every one was fully satisfied that the money was paid to Larcoba, &c. A yad was prepared by Sumbooram on the subject, and read to the Resident, who said, that Mr. Andrews was not here on the date mentioned, but in Surat, therefore what necessity was there to give money to the kamdar? We all then said that a promise may have been made to give money when there was an occasion to do so, but payment might not have been made at the time. Further, there may have been some cases going on in Surat, but what those cases were we could not exactly tell, but we supposed it was paid on account of the Newab's case (at Surat), or that of the Shastrees, which was pending here, regarding which a promise may have been made to give, but which may not have been fulfilled till afterwards, therefore the date could not agree. Baba was in the habit of entering in the chopras sums which he paid himself, several days after the payment had been made, and instead of debiting the amount to the recipient, he would enter it against some other name, so that we could not rightly understand the accounts. Baba himself must know best what he paid. This is the conversation which took place at the time.

A copy of the yad found in Baba's dufter is here shown to you, in which 24,000 rupees was the original amount, but afterwards altered to 21,000 rupees, state whether this was done from an oversight, or how?—Having seen the yad, I beg to say, that if from oversight, the alteration would be in one place, but in this yad, the 24,000 in Vishnoo Narrain's name is reduced to 21,000 rupees, by altering the figure 4 to 1; in the same way the figure 3, from 3,100, dated 8th Vud, is struck out, leaving 100; after altering these items fixed the total to 21,000 rupees. In the same way, on the debit side, the figure 3, from 3,100 in the name of Sobagwuntee, has been struck out, leaving the figure 1 only, thus reducing 3,000 rupees. In this manner the totals have been altered. These alterations appear to have been done intentionally after the yad was made, with the view that no one but himself should know it; such is my opinion.

(No. 11.)

TRANSLATION of the Deposition on oath of Byejee Gela; Religion, Hindoo; Caste, Banian; Profession, Goomasta, in the firm of Hurree Bhugtee; aged 38 years; Inhabitant of Baroda; made before the Resident on the 29th August 1850.

Question. WHEN the private dufters of Baba Nafra were undergoing examination at the residency, a yad of 21,000 rupees was found, at which time you were present, therefore state in what way the inquiry was instituted, and on what day it took place?—*Answer.* About Assur Vud, 6th or 7th, of Sumvut 1906 (30 or 31 July), the native agent Soorujram and Durbar carcoon Sumbooram, and other carcoons of the cutcherry, moonshee Heerachund, Succaram, Wiswonath Punt, &c., and myself, also Damodhur, Bhugwan, Echaram, Petamber Govind, Dulputram, Lulloo Bhugwan, Runchore, the goomasta of Baba Nuthoo, &c., in all about 15 persons, were sitting in one of the residency rooms, and as the carcoons were examining the private dufters of Baba, a yad of 21,000 rupees was found by the moonshee, who showed it to Sumbooram, who, as also all the other carcoons read it; afterwards a discussion took place among each other, and they said that 21,000 rupees is credited in the name of Vishnoo Narrain, and on the debit side 18,000 rupees is debited to Paruk Narrain Row Runchore, below which 3,100 is entered in the name of "Sobagwuntee Baee," but the figure 3 appears to have been struck out afterwards, leaving 100 rupees; besides, there are several entries in the name of Ooka Soonee and others, but I do not recollect their amount. In the entry of 3,100 rupees it is written, "Taken by Anna to camp, for Larcoba." Afterwards a question was raised as to who Vishnoo Narrain was; my goomasta, who was sitting there, and I said that there was no such person in the city, that we knew him not, neither had a person of that name ever carried on any money transactions with our large firm, and that the name of Vishnoo Narrain was false. Afterwards a talk commenced about Larcoba, when carcoon, moonshee Sumbooram, &c., began to say to each other,

other, that one Moongajee, from Surat, came to see Mr. Andrews, with whom he was acquainted, and the former got a relative of his, by name Larcoba, from Surat, and had been employed under this gentleman. This person lived in camp, and Mr. Andrews had a great regard for him. That "Sobagwuntee" was a kept woman, by name Doolun, living in camp also. In this way the conversation took place, by which we all come to know, but I cannot exactly say who was the first person that said it. Sumbooram then prepared a yad, and read it before the Resident, on which the Resident said, that you all entertain doubts against those persons, but Mr. Andrews was at Surat on the date mentioned in the yad, therefore what necessity was there to give those people any money? We goomastas then all said, that as an important case of the Nuwab was pending at Surat, the money may have been paid on that account, or that there was a dispute pending here with the Shastree regarding Potdaree, and if any money was promised in that case the same might have been paid afterwards, but the dates would not agree. Baba was in the habit of paying money at one time and debiting at another. The person to whom the amount is credited is not known to us, therefore we were all clearly of opinion that the amount paid to Larcoba and others is true, as it is written that Anna (Baba's son) had gone to camp to pay the amount. I have stated all that I recollect having passed then. I do not know anything more.

In the yad of 21,000 rupees, found in Baba's dufter, the original amount was 24,000, which has been struck out, a copy of which is here shown to you; state whether this was done from an oversight, or how?—I have seen the yad in which, on the credit side, the amount of 3,000 rupees have been altered in four or five places, and on the debit side in two places, from which it does not appear that they were done from an oversight, but in order that no one should know that these alterations had been knowingly made by him (Baba). Such is my opinion on seeing the yad.

(No. 12.)

TRANSLATION of the Deposition on oath of Dulputram Keshewdass; religion, Hindoo; Caste, Bamun; Profession, Goomasta in the firm of Hurry Bhugtee; aged 53; residing in Baroda; before the Resident, on the 29th August 1850.

Question. WHEN the private dufters of Baba Nafra were undergoing examination at the residency, at which time you were present, a yad of 21,000 rupees was found, therefore state in what way the inquiry was instituted, and on what day it took place?—*Answer.* About Assar Vud 6 or 7, of Sumvut 1906 (30 or 31 July) the native agent Soorujram, and Durbar karbarree Sumbooram, and about five carcoons of the cutcherry, myself, Echaram, Damodhur Lulloo Bhugwan, Bhagjee, Petamber, &c., in all 10 or 20 persons, were there. As the carcoons were examining the Baba's dufter, a yad of 21,000 rupees was found. Those who knew Marattee read it, in which the sum of 21,000 rupees was credited to Vishnoo Narrain, and 3,100 rupees is debited "Sobagwuntee Baee," in which the figure 3 is struck out, leaving 100 rupees; above this sum 18,000 rupees is debited to Narrain Row Runchore. Below the 3,100 rupees are two other items, to whom debited I do not recollect, but I heard this as it was read. Every one said that in this yad the original amount credited was 24,000 rupees, and the same amount being debited. In both the debit and credit sides the sum of 3,000 rupees has been reduced, leaving 21,000 as the total on both sides, by altering the items. On a question being raised as to whether Vishnoo Narrain was in Baroda, every one said that there was no such person. Afterwards it was asked who Larcoba and Sobagwuntee Baee were. Some one said, but I do not know his name, that Larcoba was related to Moongajee; the latter got the former employed under Mr. Andrews in the office, and he lived in camp. When they were discussing as to whom "Sobagwuntee Baee" was, I was sitting outside the room examining the papers, therefore I did not hear anything about her; but I have stated all that I know.

In the yad of 21,000 rupees found in Baba Nafra's dufter, the original amount was 24,000 rupees, but which was afterwards reduced to 21,000 rupees; state whether this was done from an oversight or how; after seeing the copy of the yad, give your opinion?—In this yad, on the credit side, 24,000 rupees was originally in the name of Vishnoo Narrain, and the same amount has been shown under this head in the sum of 3,100 rupees, dated Vud 8th; the 3,000 has been struck out, and in this way alteration has been made in all places, thus reducing the amount to 21,000. In the same way 3,000 rupees has been reduced on the debit side. This does not appear to have been done from an oversight, but knowingly done, in order that no one but himself should know, on seeing the yad. For this reason the 3,000 rupees has been struck out, and 21,000 rupees left. Such is my opinion of the matter.

(True Translations.)

(signed) *M. Battye*, Assist.-Resident.

Appendix, No. 4.

EXTRACT from Chopras sent to Mr. Anderson on the 10th September 1850.

TRANSLATED Item from the "Avra," or Monthly Cash Account of Purshotum Runchore, for Sumyut 1903 (A.D. 1847).

Dr.					*Cr.*
	To Vishnoo Narrain.			By Narron Row Runchore:	
June - - 26			July - - 5		
2d Jest Sood 13	- - Received through Baba Sahib, on a note of Mola, interest at 4 annas per cent. per month, credited at page 146 - -	21,000	2d Jest Vud - 7	Paid in ready cash - - 12,000	
			July - - 3		
			2d Jest Vud - 5	Ditto - ditto - - 2,000	
				Debited at page 149.	14,000
			July - - 8	By Sobagwuntee Baye Sahib:	
			2d Jest Vud - 11	Paid in part of 3,100 rupees, debited at page 149 - - - -	100
			July - - 10	By Hurree Bhugteedas:	
			2d Jest Vud - 13	Paid through Annasahib to Larcoba on your account, debited at page 150 - - - - - -	100
			July - - 20	By Narron Row Runchore:	
			Ussad Sood 8	Paid in ready cash per Runchore Goomasta, on account of 1,800 rupees debited at page 161 -	4,000
			June - - 26	By Purshotum Womunrow:	
			Jest Sood - 13	Paid to Goldsmith Ooka for Goldsmith Nuthoo, on account of Rs. 1,606. 12. 9. debited at page 147 - - - - -	500

The above items are extracted from the "Avra" of Purshotum Runchore, in our presence, on Sunday, Bhadurwa Sood, 3d Sumvut 1906. (9 September 1850).

(signed) *Moteelall Samuldass.*
Chooneelall Lulloobhaee, of Mungledass Sukhidass.

TRANSLATION of the Deposition on oath of Soorujram Gungaram, Native Agent, made before the Resident, on the 9th September 1850.

Question. DID Baba Furkia ever come to your house, and if so, had you any conversation with him regarding the yad of 21,000 rupees?—*Answer.* Baba Furkia was in the habit of coming much into camp. He came once or twice to my bungalow; as I was in the habit of going to Mr. Hykoop's place, I used to meet him sometimes there, who used to make his affairs known to me, and that the Guicowar Sirkar, without any cause, is ruining him; but he never spoke to me anything about the yad of 21,000 rupees, nor did I question him on the subject, nor was there any necessity for me to do so. When Baba used to come to my place, he requested me to make known his affairs to the Resident, which I accordingly did. The Resident upon this told me that he had written to Government regarding him, and until a reply is received he is prohibited from coming to the residency; I was therefore cautioned not to communicate with or hear him upon any public matter, and if he came to the residency I was desired to forbid him to enter it. Agreeably to this order, I communicated to Baba. Except this, I have had no communication with him.

TRANSLATION of the Deposition on oath of Sumbooram Khoosall Mehta, in the service of his Highness the Guicowar, made before the Resident, on the 10th September 1850.

I RECEIVED orders from the Sirkar to go to the residency where the chopras of the firm of Hurree Bhugtee and those of Baba Nafra were undergoing examination regarding the son of Joiteebaee Satanee, widow of Becherbhaee Samuldass, at which time a yadee of 21,000 rupees was found in the private dufter of Baba Nafra, and to state in what way the

the inquiry was conducted, and how the paper turned up; I beg to represent, that on the 31st July, while the residency native agent and carkoons, the goomastas of Hurree Bhugtee, also private goomastas of Baba, and myself, in all about 20 or 22 persons, were sitting in a room in the residency, the carcoons were examining the dufters, a Marratta yad was found in the private dufter of Baba Nafra by the residency moonshee, who, after reading it delivered it to me, on seeing which I found 24,000 rupees had been originally credited to "Vishnoo Narrain," but was afterwards altered to 21,000 rupees. I asked the goomastas of Hurree Bhugtee and others who Vishnoo Narrain was; they replied that there was no sowkar of that name in Baroda, neither were any money transactions carried on with any person of that name. On the debit side 18,000 rupees is entered on the name of Narron Runchore, below which 3,100 rupees is entered on "Sobagwuntee Baee;" underneath it is written, dated Vud 8, taken by Anna to camp for Larcoba. Further entries are made; viz. 500 rupees on the name of Ooka Sonee, and 2,400 rupees for house expense, thus making the total 24,000 rupees. On the credit side, from the sum of 3,100 rupees the figure 3 has been struck out, and in three or four places alterations have been made; thus making the total 21,000 rupees. On the debit side, from the sum of 3,100 rupees, on the name of Sobagwuntee Baee, the figure 3 has been struck out, and a line drawn across the Baees' name, and altered the total to 21,000 rupees. The goomastas of Hurree Bhugtee observed, that as Anna, Baba Nafra's son, had taken the money to camp, they all became suspicious. The Resident was sitting there at the time, and the suspicions were made known to him; that gentleman said that on the date mentioned in the yad, Mr. Andrews was not here, when the goomastas of Hurree Bhugtee replied that an important case was pending at Surat. The Resident then asked who Larcoba and Sobagwuntee Baee were, and what had been found. He was informed that Larcoba was the son of Moongajee's wife's sister; that when Mr. Andrews was Acting Resident, Moongajee had come up here and got Larcoba employed in the residency, and he served in the treasury for some time, and that we all knew him. Regarding Sobagwuntee Baee, the residency moonshee said that she was the kept woman of Mr. Andrews, by name Doolun; that she was at that time here, and lived in camp, as did also Larcoba. But as the woman misbehaved herself with some bargeer of the "Hoozoorat," that gentleman turned her away, and she is now in Ahmedabad. Such being the opinion of every one present, a yad was prepared and given to the Resident on the subject.

Baroda, 10 September 1850. (signed) *Sumbooram Khoosall.*

The above yad has been read to me before the Resident, and I hereby declare to the truth of it.

(signed) *Sumbooram Khoosall.*

(True Translations.)

(signed) M. Battye, Assistant Resident.

Appendix, No. 5.

EXTRACTS from Chopras sent to Mr. Andrews, with my Letter, dated 15 September 1850.

TRANSLATION of Items extracted from the "Ledger Khatavnee," of Purshotum Runchore, for Sumvut 1903 (A.D. 1847).

Dr. *Cr.*

	Page.	Vishnoo Narrain, at page 77.		
June - - 26 2d Jest Sood - 13	146	To cash - - - - - - -	21,000	
July - - 25 Ussad Sood - 12	156	To cash - - - - - - -	1,000	None.
August - - - Shrawun - - -	162	To cash - - - - - - -	2,800	
September - 11 Bhadurwa Sood 2	171	To cash - - - - - - -	190	
			24,990	

We, the undersigned, have extracted the above items on Bhadurwa Sood 9th Sumvut 1906. (A.D. 15 September 1850.)

(signed) *Girdhur*, for Inveree Khooshallcaund Veerchund.
Girdhurlall, Goomasta of Moolchund Sewlall.
Hurreevullow, Goomasta of Bhaeechund Morarjee.

109275

DETAILS of the above Items credited in "Avra" monthly Cash Account to Vishnoo Narrain.

To Vish.		
June - - 26 2d Jest Sood - - 13	To cash received through Babasahib on a note of "Moloo," interest at 4 annas per cent. per month, at page 146 of Avra and 77 of Khata - - -	21,000
July - - 25 Assad Sood - - 12	To cash received from Appasahib, through the medium of Babasahib, at page 156 of Avra and 77 of Khata - - - - - - - - -	1,000
	Through the Medium of Babasahib:	
August - - 15 Shawun Sood - - 4	To cash - - - - - - - - - - - - 1,000	
August - - 16 Shawun Sood - - 5	To cash - - - - - - - - - - - - 1,000	
August - - 26 Shawun Sood - - 15	To cash - - - - - - - - - - - - 600	
September - - 5 Shawun Sood - - 11	To cash - - - - - - - - - - - - 200 at page 128 of Avra and 77 of Khata.	2,800
September - - 11 Bhadurva Sood - 2	To cash received through the medium of Babasahib, at page 171 of Avra and 77 of Khata - - - - - - - - - - - -	190
	These have been extracted by us on Bhadurwa Sood 9th of Sumvut 1906 (15 September 1850).	

(signed) *Ghirdhur*, for Inveree Koosalchund Veerchund.
Ghidhurlall, Goomasta of Moolchund Sewlall.
Hurreevullow, Goomasta of Bhaeechund Morarjee.

TRANLATION of Items extracted from the "Rogmalee" Chopra of Purshotum Runchore, for Sumvut 1903 (1847).

Dr.			*Cr.*		
June - 26 2d Jest Sood 13	To Vishnoo Narrain: Paid by him in ready cash through the medium of Babasahib, at "Moloo," interest of 4 annas per cent. per month, at page 129 - -	21,000	June - - 26 2d Jest Sood 13	Paid to Goldsmith Ooka for Goldsmith Nuthoo, on account of Rs. 1,606. 12. 9., debited to Purshotum Womunrow, at page 133 - -	500
			July - 5 2d Jest Vud 7	By Narron Row Runchore, paid as follows: Ready cash - - 12,000	
			July - - 3 2d Jest Vud 5	Ditto - - - 2,000	
			Ussad Sood 8 July - - 20	Ditto - - - 4,000 at page 133.	18,000
			July - - 8 2d Jest Vud 11	By Sobagwuntee Byeesahib: In ready cash on account of 3,100 rupees, debited at page 133 - - - - -	100
			July - - 10 2d Jest Vud 13	By Hurree Bhugteedass: Paid to Larcoba through Annasahib, at page 134 - -	100

TRANSLATION of Items extracted from the Chopra "Rogemel," Daily Account of Narrain Row Runchore, for Sumvut 1903 (1847).

Dr.		*Cr.*	
In Account of 2d Jest Sood (June), page 121, Credited.		In account of 2d Jest Sood 1st (June 13), page 121, debited to Hurree Bhugteedas, on Vud 7 (July 3), as paid by Abba Mama, after having got it examined, in ready cash, on Vud 6th (July 4), which has been credited to Paruk Purshotum Runchore, on account of Rs. 19,022. 7. 3. debited in 2d Jest Sood (June), at page 122 - - - - -	12,000
To Parukh Purshotum Runchore, in part of 15,283 rupees, credited in 2d Jest Sood (June), as follows:—			
On Vud 5 (July 3), as paid in ready cash by, on the 4th - - - - - 2,000			
On Vud 7 (July 5) as paid in ready cash, by Abba Mama, on the 6th (July 4) - 12,000			
	14,000		
In account of Assoo Sood 1st (July 13), page 128, credited to Purshotum Runchoredass, on Assoo Sood 9th (July 21), as paid in ready cash by Runchore and Nurrotum, on the 8th (July 20), on account of 4,183 rupees, credited in Ussad - - -	4,000		

TRANSLATION of the Extract from the Chopra of Samul Bhugtee for Sumvut 1903, (A.D. 1847.)

Dr.	*Cr.*
2d Jest (June) vide page 113 of the Khurda credited to Paruk Narrunrow Runchore, on 2d Jest Vud (July) 17,820, of which 12,000 rupees was paid; on Vud 6th (July 4) by Abba Mama, and credited on 7th Vud (July 5th).	

Memorandum by the Resident.—The above amount, 12,000 rupees, does not appear to have been credited in the chopra of Hurree Bhugtee.

In the chopra of Hurree Bhugtee and Samul Bhugtée for 1903 (A.D. 1847) there is no entry of 1,000 rupees to the credit of Purshotum Runchore in 2d Jest (June).

TRANSLATION of the Deposition of Soonee Ooka Essoo; caste, Deecanee, now residing at Baroda, aged 25 years; profession, Goldsmith.

Question. IN the chopra of Purshotum Runchore 1903 (A.D. 1847), 500 rupees is entered as paid through you, on account of Sonee Nuthoo on 2d Jest Sood 13th (26th June 1847); did you receive the amount, if so, show your accounts in which credit has been given by you for the amount?—*Answer.* No credit has been given for the amount on 2d Jest Sood 13th (26th June), but on referring to my chopra and papers of accounts, I beg to state that on 1st Jest Vud 5th (3d July), 425 rupees, and on Ashvin Vud 3d (26th October) 75 rupees, total 500 rupees, on Shrawun Sood (11th August) of the same year 300 rupees, and a chit for 200 rupees, dated 1st Jest Vud 11th (9th June), received on 2d Jest Sood 2d (14th June), have been credited. Nuthoo is my paternal uncle. We both live together.

On what account was this money paid to you; on 2nd Jest Sood 13th (26th June), 500 rupees have been debited to you, whereas in your account you have shown a credit of 1,000 rupees, but this sum does not agree with the dates given by you; therefore state whether the amount on the above dates has been credited in your chopra, and, if so, point out the same?—This money was paid on account of a cradle and other things made for Baba Nafra. The amount of 1,000 rupees given on the dates above named, has been credited in my chopra; but there is no credit of 500 rupees in my chopra, &c. on Jest Sood 13th (26th June), nor did I receive such a sum in a lump.

You have stated above that you have received 1,000 rupees, but through whom and from whom did you receive the amount?—A "chittee" for 200 rupees, dated 1st Jest Vud 11th (9th June), was received on 2d Jest Sood 2d (14th June), it was drawn on Abba Mama, which sum I received in ready cash from the shop of Narron Row Runchore; 425 rupees was received on Jest Vud 5th (3d July), but from whom it is not mentioned in the chopra; also 300 rupees in ready cash on Shrawun Sood 1st (11th August), but from whom it is not mentioned; and 75 rupees on Ashvin Vud 3d (26th October), from Tatiaba; total 1,000 rupees. The above is written in my papers. There is no difference in what is stated above.

Dated Bhadurwa, Sood 9th (15th September 1850).

TRANSLATION of the Deposition on oath of Sumbhooram Khoosal Mehta, in the service of his Highness the Guicowar, made before the Resident on the 16th September 1850.

Question. DID Baba Furki come to your place, or did you meet him elsewhere, and if so, did he say anything to you about the yad of 21,000 rupees?—*Answer.* Baba Furki never came to my house, nor did I go to his, nor am I on friendly terms with him. Being a servant of the Sirkar, I was directed about three months ago, by order of the Sirkar, to make an estimate of his house. On this I went to his house with an architect, sootars, bricklayers, &c., and made an estimate of the building, and neither before or after this had we ever met, or had any conversation regarding the yad of 21,000 rupees. It is true that our houses are close to each other, yet we are not friendly. From the very beginning we do not visit each other, as I am on bad terms with him.

It appears that when the yad of 21,000 rupees was found, you then stated that Moongajee, who came from Surat here, used to go out, driving with Mr. Andrews in his carriage; what do you know of this?—As it was said by all the persons present that Moongajee, who lived in camp, used to go out driving with Mr. Andrews in his carriage, so I said the same.

Mr. Andrews, on being written to on this subject, declares that he never drove out with Moongajee in his carriage. From what cause then did the persons present say so?—I informed the Resident from what I heard the persons present say. Being a servant of the Guicowar, and residing in the city, I myself never saw it.

(True Translation.)

(signed) *M. Battye,* Assistant Resident.

Appendix, No. 6 A.

TRANSLATION of the Examination of Wamon Row Venktesh *alias* Baba Nafra, before the Durbar on Shravun Sood 6th, Sumvut 1907 (A.D. 13 August 1850.)

Question. STATE in whose handwriting is the yad of debit and credit of 21,000 rupees, beginning from 2d Mas to Assar Sood 5th, found on examination in your dufter at the residency?—*Answer.* The yadee of 21,000 is in the handwriting of Tatiaba of Oorpar.

A Goozerattee translation of the extract of the Honourable Court of Directors' letter, dated 27th May 1850, regarding the case of Joiteebaee Setanee, found in your dufter, is here shown to you, state who wrote it, and from where did you get this translated copy?—The paper shown to me by the Sirkar, I never saw in my dufter, nor do I know anything about it. The Sirkar says that this paper was found in my dufter; this may be, but I know nothing about it.

State who is Purshotum Runchore, and who carries on the business of his shop?—Purshotum is my youngest son, and Runchore is the name of a deity at dakore, in whose name the business is carried on; Purshotum, with two goomastas under him, carries on the management with my advice.

State who Narrain Runchore is, and who carries on the business of his shop?—Narrain Row is my eldest son, and Runchore is the name of a Deity in whose name the business of the shop is carried on. The Guicowar Government has a share in it, the management of which is done by myself.

It appears from the yad of 21,000 rupees that 3,100 rupees is debited to "Sobagwuntee Baee," dated Vud 8, taken by Anna to camp for Larcoba, but from this sum the figure 3 has been blotted with ink, and then rubbed off, leaving the 100 good, and a line is drawn across the name of "Sobagwuntee Baee;" state the reason for so doing, as also who "Sobagwuntee Baee" is, and who are Anna and Larcoba, and what reason was there to take money to camp?—This name is that of my wife; she was in want of 3,100 rupees, but afterwards, as she did not require it, a line was drawn across her name, and on the amount leaving the 100 rupees good, which was paid to Larcoba. Anna is my son, and Larcoba was employed in the residency office. He lived in camp; for payment to whom the money was taken.

You state 100 rupees was paid to Larcoba, but there is no separate entry showing the date on which it was paid to him; that from the amount entered in the Baee's name, viz., 3,100 rupees, 100 has been left good, for which you give a reason; state the cause of this reason?—This yad was prepared at that time for my own understanding of the items.

Are there any more payments in the name of the Baee?—There is a separate account of the receipts and disbursements in her name.

Has any more money been paid to Larcoba besides the above sum?—I have no recollection of any more money having been paid to Larcoba.

For what reason was the 100 rupees paid to Larcoba?—The money was paid to Larcoba on account of some English petitions sent to government, regarding the cases of Gungadhur Shastree and Bhaskur Row Withul, and also for making copies of them, &c.

(signed) *Womun Row Venktesh.*

Examination continued on 14th August 1850.

Question. State who Vishnoo Narrain is, and where is this person now?—*Auswer.* "Wishnoo Narrain" is the name of a deity, and the amount from my private funds has been placed at interest to the credit of Vishnoo Narrain in the chopras of the firm of Purshotum Runchore, established by me.

A yad of "debit" and "credit" of 20,000 rupees for Sumvut 1901 (A.D. 1845), found in your dufter is here shown to you, state by whom you got it written?—I never saw this yad in my dufter, nor did I get any one to write it; I know nothing whatever in this matter. So long as Shetjee was living, I had no control over the shop.

(signed) *Womun Row Venktesh.*

TRANSLATION of the Deposition of Womun Row Venktesh, *alias* Baba Nafra, made before his Highness the Guicowar, on the 20th August 1850.

Question. A YAD of 21,000 rupees was found in your private dufter, which you acknowledge to be in the handwriting of Tatiaba. In that yad, after debiting and crediting 24,000 rupees, 3,000 rupees has been struck out, leaving the total 21,000 rupees. In the debit and credit sides 3,100 rupees is entered, from this sum 3,000 rupees has likewise been struck out. In this way alterations have been made, therefore, state the reasons for your doing this, and to whom and in what way the money was paid?—*Answer.* The yad must not be depended upon. What I thought at the time I wrote, and placed in the dufter; but from the chopra it will be known to whom the money was paid, without which it cannot be learnt.

In the yad the debit and credit of 24,000 rupees, it appears clear from this sum 3,000 rupees has been struck out, reducing the total to 21,000 rupees. Was this done at the time the yad was prepared, or how many days afterwards?—The alterations were made at the time the yad was framed. After the amount had been debited and credited in the chopra, I did not see the yad, nor did I handle it; the business is done by the chopra.

Were the credit and debit items entered from the yadee, or was it from the chopra you made the yad?—The yad was made for my own understanding; it is two or three years since it was done. Whether the debit and credit was made in the chopra before or after the yad was prepared, I do not recollect.

You state above, that the alterations were made at the time you prepared the yad on both the debit and credit sides, that since then you had not seen the yadee, but that whether you entered the debits and credits in the chopra before or after the yad was prepared, you do not know, two or three years having elapsed that you can recollect having made the alterations in the yad, but not those of the debit and credit cannot be believed, and the Sirkar entertains doubts on this point; therefore, state on oath all that is true?—I do not write in the chopras; this is done by the goomasta, who enters all the payments that are made or received, and according to which the debit and credit are made. This is done under my own eye, and agreeably to what I dictate. No particulars are given in the chopra of the debit and credit according to yadee; but whether the debit and credit was made in the chopra before or after the yad was prepared I don't know.

(signed) *Womun Row Venktesh.*

Examination continued on 20th August 1850.

Question. In the yad of 21,000 rupees, on the debit side, the following entries are made, viz., 500 in the name of Ooka Soonee, and 100 rupees to Larcoba, besides 2,400 rupees for house expense; also, 18,000 rupees is entered in a lump. State whether this money was paid as a present to any one, if so, to whom are all these sums debited and credited in the chopra?—*Answer.* After examining the chopra, &c. on this matter, I will give my reply to-morrow.

(signed) *Womun Row Venktesh.*

Examination continued on the 25th August 1850.

Question. You have stated that you will make a reply after seeing the chopra respecting the sum of 21,000 rupees. Your private chopras are here shown to you, therefore make your reply to the question before put to you?—*Answer.* Having seen in the chopras shown me by the Sirkar the adjustment of 21,000 rupees made between Jest and Ussad Sood 5, of Sumvut 1903, and other chopras relating to the above adjustment, I beg to state, that out of 21,000 rupees credited to Vishnoo Narrain in (our) Purshotum Runchore's chopras on 2d Jest Sood 13, 18,000 rupees have been debited to Narrain Runchore by three items, as follows, viz. 2,000 at page 121, on 2d Jest Vud 4th, 12,000 at the same page on 2d Jest Vud 5th, and 4,000 rupees at page 128 on Assad Sood 8th. This sum (18,000) has been credited in Narrain Runchore's chopra to Purshotum Runchore. All the expense has been debited in detail in that month's accounts, the balance of which has been shown therein,

and carried to the accounts following as usual; so what is paid on account of the above sum cannot be told. Money actually received is always added to the balance and expended, but 12,000 rupees appears, however, to have been paid out of 18,000 as in the entry of the debit, which has been made in Hurree Bhugtee's name on the very day the latter sum is credited; the circumstances of the credit given to Purshotum Runchore are stated. The remaining 6,000 are debited in the same account, thus the whole 18,000 rupees have been debited to Narrain Runchore. The remainder, 3,000, expended of 21,000, are debited in detail as under, in the very account in which the latter sum is credited, and the balance remaining, after making these adjustments, is carried to subsequent accounts.

Paid to Ooka Sonee - - - - - - - - - - -	500
„ Larcoba - - - - - - - - - - -	100
On sundry accounts debited by different item, which has been stated in yad as house expense - - - - - - - - - -	2,400
	3,000

Expense is always made from the total amount received, and not from any particular sum. This is well known to the Sirkar. Transfer entries are always written in detail.

Examination continued on the 10th October 1850.

Question. You have stated that the 21,000 rupees from your private funds has been placed to the credit of Vishnoo Narrain in the firm of Purshotum Runchore for the sake of interest, state what is the total amount you possess, and from whence did you get the money. As you have credited a portion of that sum, where is the remainder?—*Answer.* The setjee had given the money for the expenses of my son's marriage, &c., besides a surplus of what I had received; but what was expended and what was received from it, I do not know. When the shops of Purshotum Runchore and Narrain Runchore were established, I invested my money in these shops, but the exact amount I do not recollect; whatever may be in the chopra must be right; nor have I any document to show the exact amount of the surplus money.

Did you keep any account of the expenses of the marriage of your son, &c. defrayed from the money received by you; if so, where is it?—An account of the money received from the shetjee for the marriage, &c., of my four sons and daughters, and that expended by me, will be found in the chopras, the surplus of which remained, which is the money alluded to above.

The amount received by you has been credited in the chopra as well as that expended; I suppose from this it could be shown what surplus has remained?—The surplus, after deducting the expenses from the sum received, will not be found in the chopra. In the chopra are shown merely such sums as have been paid for the purchase of jewels and other expenses, but that which was not expended remains as a surplus on hand.

You refer to the chopra for your proof as regards the 21,000 rupees, but the date on which this sum was debited in the chopra and that given in the yadee do not agree, therefore state which is the correct date, and the cause of their not agreeing?—The yad was made for my own understanding, so that whatever date I recollected at the time I put down, but the date on which the debit and credit was made in the chopra is correct. The yad is not right.

You refer to your chopra for proof, but according to your own statement, money was received for marriage expenses, &c., which, not being expended, remained as surplus; your goomasta Nuthoobhaee in his deposition stated, that whatever your son desired him to write in the chopra he did, and, accordingly, made a debit and credit of 21,000 rupees by his desire, but that he did not do so of his own accord; and when the chopra was examined in your presence, the amount of the debit side appeared greater than that of the credit. This shows that payment was not made according to the amount received, and yet you refer to the chopra for proof. How is this?—Nuthoo was not at the time living in my house, he had gone to Bugoomra on duty, and my private funds always remained with my son, and whatever expenses was incurred, my son would get the carkoon to debit the amount in the chopra when he came from his place or from the village. In this way business is done. The reason why the debit was made more than the credit, was that some time an entry is made first and payment afterwards, therefore a difference would be in the dates; but at the end of the month the total of the debit and credit are compared, and the balance struck, but no account is to be given to any one from this chopra. In my private chopra I have written what I thought proper to write.

You stated that the money received for the marriage, &c. expenses was intended for the purchase of jewels, &c., but is there any yad showing the actual amount expended on this account?—Besides the chopra there is no separate yadee; what there is will be found in the chopra.

Is it customary to make a debit without first paying the amount?—No; but in my chopra I write whatever I think proper; therefore the daily balances are left unadjusted in the chopras, but the requisite adjustments are made when the balance is shown.

(signed) *Womun Row Venktesh.*

Asso Sood 5th. (10th October 1850.)

STATEMENT of Baba Nafra before the Durbar, on the 14th October 1850.

Question. Is the statement which you made before the Durbar on the 13th August last, and which has first been read to you, correct?—*Answer.* Yes, it is exactly what I stated.

You state that you paid Larcoba 100 rupees for writing and copying English papers; but for that sum you could get a book written; what, therefore, was the necessity for paying so much for so little work?—It was not for the actual amount of writing that the money was paid, but the urgency of the case was taken into consideration. He, Larcoba, was not my servant, and I was anxious to get the work done.

If you had given the work to any other English writer, would it have cost you as much; if not, why did you give Larcoba the job?—I wanted a translation, for which it requires a man to be well acquainted with the English language. I heard Larcoba, of the residency office, mentioned as a clever man, and sent my son Anna to him, and he agreed to make the required translation, which was done accordingly.

Had Larcoba not been a Government servant would it have been necessary to pay him so much?—If he had not been in Government employ I should have made a bargain with him; but as it was, I paid the 100 rupees without, being anxious to get the work done at once.

In those days did you ever get translations or English papers written by any other of the writers at the residency, Rewa Canta office, or of the camp?—At this length of time I cannot speak positively; but I do not remember ever having employed anybody else but Hurba Appa, a man in the Rewa Canta office.

Did you ever employ a man named Mancoba, who was a writer in the Adjutant's Office of the 2d Grenadier Regiment?—I never before heard of his name.

Baba Nafra before the Resident, 14 October 1850.

Question. Is the statement which you made before the Durbar on the 20th and 26th August and 10th October, just read to you, correct?—*Answer.* Yes, it is all correct.

How much money did your shet Becherbhaee give you for marriages in your family?—I cannot say how much was given for each marriage; the shet used to give what he pleased. I don't remember the exact amount, but the entries in the chopra are correct. At each marriage he never gave less than 10,000 or 15,000 rupees.

How many marriages have taken place in your family? When was the first and last, and what period intervened between the two?—I do not exactly remember when the marriages took place, but the first was about the year Sumvut 1891 (A.D. 1835), and the last in 1898 (A.D. 1842), during which time my four sons and two daughters were married, and the boys received the "Junoee" (the ceremony of the string worn by Brahmins).

You state that from the money received for marriages you have saved 21,000; state where you kept the money saved from the former marriages until the last marriage, when the amount was paid into the firm of Purshotum Runchore?—I kept a separate box for these savings, to prevent my children knowing anything about them, which were put in as they occurred. But I have no account of the expenses incurred at the different marriages. The money received from the shet was always shown as expended, to show my children. I am the only person who knows how much was saved. When the firm of Purshotum Runchore was established, the amount saved was carried to the credit of a feigned name.

How was it that you, a person well informed in sowkar business, and formerly of the firm of Hurree Bhugtee, knowing the value of money, allowed this amount to be in deposit for six or seven years without interest?—Formerly I was only a servant of the shet, and did no private business. In the year 1900 (1844) the shet and the Durbar gave me permission to establish the firm of Narrain Row Runchore, and after that of Purshotum Runchore. It was then for the sake of the interest I paid the money into the firm, in the name of Vishnoo Narrain. The note alluded to in the chopra was never written.

The 500 rupees inserted in your chopra and yad as having been paid to Soonar Ooka, does not appear from his account to have been paid, and he denies it; how is this?—I told my son and goomasta, who kept the key, to pay the money, and inserted it in the chopra accordingly, but whether they paid it or not I don't know.

(True Translation.)
(signed) *M. Battye,* Assistant Resident.

Appendix, No. 6 B.

TRANSLATION of the Deposition of Tatiah Bah, of Oorpar, before his Highness the Guicowar, on Shrawun Sood, 6th of Sumvut 1907. (A.D. 13 August 1850.)

Question. BY whom is the yad written, now shown to you, containing the adjustment of 21,000 rupees, made from 2d Jest to Assar Sood 5th (June to July 15)?—*Answer.* It is written by my own hands.

Have you any knowledge of the entries written on the credit and debit sides of the aforesaid yad?—I know nothing; the yad was written as dictated by Baba Nafra.

Before the Resident, 18 October 1850.

The statement read over to me before the Resident is the same which was made by me before the Guicowar on Shrawun Sood 6th (13 August 1850).

Question. On looking at the yad in question, it appears that the original sum entered in Veshnoo Narraen's name on the credit side has been altered to 21,000. State what was the original sum, and the cause of the alteration?—*Answer.* The yad was prepared as desired by Baba Nafra, but as I did not distinctly hear the amount Baba told me to write, something more or less was entered in it, which was subsequently corrected upon Baba's telling me. This I recollect; but I do not remember what the original amount was.

You state that, from your not having heard distinctly, the total had to be altered; but, from the yad, it appears that on the debit and credit sides, the dates, names, and amount have been regularly written. That on the credit side 4,000 rupees, from Vud 4th to Vud 8th, is entered in three items, one of which, 3,100 rupees, dated Vud 8th, has been altered, by striking out the 3,000, and leaving the 100 for good, thus reducing the total from 4,000 to 1,000. On the debit side 3,100 rupees was entered in the name of "Sobagwuntee Baee," which was altered to 100 rupees. State the reason for making these alterations, and whether they were made at the time the yad was prepared, or how —Th alterations were made while the yad was under preparation, and by desire of Baba.

On the credit side 350 rupees have been entered as Keeta. State whether this entry was made before or after the total had been summed up?—The yad was written at once, as Baba told me; and I recollect the item of 350 rupees was entered before the total was made.

On the debit side 3,100 rupees was originally entered in the name of Sobagwuntee Baee, on which a line was drawn across afterwards, and the figure 3 struck out, and the following words written, dated Vud 8th: 'Taken by Anna to camp for Larcoba." What can be the object of this alteration?—I know nothing about this, having written everything as Baba bade me do.

You state you know nothing, because you wrote everything as Baba told you; but from the copy of the yad now shown you, state whether the entry of 3,100 rupees, in the name of Soobagwuntee Baee, and the words "Taken by Anna to camp for Larcoba," were made at the time the yad was under preparation, and if so, was any conversation held about the striking out of the figure 3, and drawing a line across Soobagwuntee Baee's name?—I have seen the copy of the yad, which is like the original. It was at once written. No conversation took place about the words written below Soobagwuntee Baee's name, viz.: "Taken to camp by Anna for Larcoba." As written in the yad, I was desired by Baba to write on the name of Soobagwuntee Baee, Anna took to camp for payment to Larcoba, after which a line was drawn across the Baee's name, and the figure 3 struck out, leaving the 100 good, and the words below were left unaltered as desired by Baba, but for what reason this was done I do not know, as no conversation at that time took place on the subject. Baba must know best.

What relationship exists between you and Baba?—Baba is my maternal uncle, or husband of my mother's sister.

Who were present when the yad was first made out?—Myself and Baba were present. I do not recollect anyone else.

There appears a difference in the colour of the ink in the entry of 3,100 rupees made on the debit side of the original yad in the name of Soobagwuntee Baee. On Vud 8th, taken to camp by Anna (here the colour differs) for Larcoba. State whether the inkstand was changed, or, if there was no ink in it, was water put into it, as the Surat Sahib entertains doubt about it?—The original yad is not here, but it was wholly written at once. I do not recollect when the words "Anna, taken to camp," were written; whether water was put in the inkstand; or that it was written with a new pen at the time, I do not recollect. This item was written all at once at the same time, and not afterwards.

Made before the Resident on the 28th October 1850.

Question. Was the yad of 21,000 rupees written by you at once, and were the alterations made at one and the same time. What were the original totals of the debit and credit sides before the alterations were made, and what items have been subsequently altered. As a reduction was made, was a similar increase made in any items, if so, state which items were so altered, and how was the alterations effected?—*Answer.* On seeing the copy of the yad, I beg to state that the original yada was written at once by me, and at one and the same time the alterations were made; no increase or decrease was subsequently made in it. On the credit side, 3,000 rupees being struck out, the total came to 21,000; but if the 3,000 was left, the total would then be 24,000. By striking out the 3,000, the total came to 21,000, as appears from the yad; but at the time the yadee was prepared, how it was done I do not recollect. Such I have stated in the above reply.

On seeing the original yad, the amount appeared to some people on the heading to have been 23,650 rupees, whereas you say that after the yadee was made, with the alterations done at the same time, no further alterations were subsequently made. How is this?—Whatever alterations were made, were made at the time the yadee was prepared, so that what was to be done at that time was done. No increase or decrease took place afterwards.

The

The last item on the credit side is 350 rupees, entered as "Kitta," what is the reason of crediting the amount as "Kitta Khata," without giving the date of it?—This sum was credited at the time of summing up the total, and therefore I do not recollect the date of it. Before, however, making up the total, 350 was entered in it.

As the original yad of 21,000 rupees was shown to you at the Durbar, were the alterations, &c. on the debit and credit sides made with your own hand or by any other. State, if you know it?—I saw the yad shown to me at the Durbar, but did not observe any other person's handwriting on the debit and credit sides except my own.

(signed) *Tatia Bah Babajee.*

(True Translation.)

(signed) M. Battye, Assistant Resident.

Appendix, No. 6 C.

TRANSLATION of the Deposition of Kessowrow Vamunrow Nafra, *alias* Anna, Inhabitant of Baroda, made before his Highness the Guikwar, on Ashvin Sood 12th, Thursday, St. 1906 (A.D. 17 October 1850).

Question. A YAD from 2d Jest to Assar Sood 5th (June to July 17) of 21,000 rupees was found in the private dufter of your father Baba Nafra. On the debit side 3,100 rupees is entered on the name of "Soobagwuntee Baee," dated Vud 8th, "taken by Anna to camp for payment to Larcoba," afterwards a line was drawn across Soobagwuntee Baee's name, and the figure 3 struck out. As the money was paid through you, state to whom, in what way, how much, and on what account was the money paid?—*Answer.* I do not recollect the year and date, but as there was a dispute going on between our shet and Gungadhur Shastree, it was necessary to make some translations in English, and there was one Larcoba, a writer in the residency office, with whom I got acquainted through one Hurba Appa, who was a writer in the Rewa Kanta office. I recollect 100 rupees was paid to him for translating some paper.*

How often did you go to Larcoba?—As the case of Gungadhur Shastree was going on at the residency, the proceedings regarding it had remained with Larcoba for some time. And as he lived in camp, I used to go to him for the sake of the translations, but whether I went twice or thrice or oftener† I do not recollect.

How many papers were there to be translated, and was it originally agreed to pay 100 rupees for this work?—As a long time has elapsed, I do not recollect how many papers were translated, but there was a yad of five dukshenee bund which took only two sheets of paper to translate. No fixed sum was agreed to be paid originally; as he had done my business, the amount was paid with pleasure.

As there was a relation of Larcoba in camp, by name Mancoba, did you get him to make any copies, and was the money paid to him?—No copies were made by Mancoba, nor was the money paid to him.‡ As I got acquainted with Larcoba through Hurba Appa, the papers were given to him, and by him the business was done, for which 100 rupees was paid to him. But by whom he may have got them done or not, it is best known to him. I was only acquainted with Larcoba, and I never got Mancoba to do the work, nor did I go to his place.

Besides the translation done by Larcoba, did you get any other papers translated; if so, by whom, and in what way was the payment made?—Except Larcoba, I went to no one else to get any work done. If my father did, it is best known to him.

(signed) *Kessowrow Wamun Nafra.*

Made before the Resident on 18th October 1850.

Question. The deposition taken from you before the Durbar as above is read to you. Is it correct, or otherwise?—*Answer.* It is correct agreeably to what I had deposed.

A yadee of 21,000 rupees was found in the private dufter of your father. There is a credit on the name of Vishnoo Narrain, which amount was altered to 21,000 rupees. The 3d item of this amount, 4,000 rupees, is dated 4th to Vud 8th, and from a portion of this sum 3,100 rupees, dated Vud 8th, the figure 3 is struck out, thus reducing the total from 4,000 to 100, and the present grand total of 21,000 rupees in an altered one. State the reason for altering the total, and the items which compose it, and whether these alterations

---

* Larcoba declares, "In fact, I had nothing to do with that firm or its affairs." * * * "Nor has a single rupee reached me direct y or indirectly."—*Vide* Appendix, No. 3.

† Larcoba declares, "Neither had I any personal acquaintance with Baba Nafra, or any other goomashta in the employ of that house."—*Vide* Appendix, No. 3.

‡ Larcoba afterwards declared, "He had allowed Mancoba to copy some papers for Anna, for which he (Mancoba) was paid, not being in Government service."—*Vide* Mr. Andrews' Letter E.

alterations were made at the time; and what was the original amount on Vishnoo Narrain's name?—From 1901 (A.D. 1845), I did business in the shop as directed by my father. I do not know in what way this yad was written, and for what purpose it was altered. The private business of the house was done by the other goomashtas, &c. by desire of Baba Sahib.

On the debit side 3,100 rupees is entered on the name of "Soobagwuntee Baee," dated Vud 8th, and "taken by Anna to camp for payment to Larcoba," afterwards the figure 3 and Soobagwuntee Baee's name were struck out. State what can be the reason of making these alterations. Was it done at the time the yadee was framed or afterwards?—It is true that my father got the yadee of 21,000 rupees, written by Tatia-ba, but it was done for Baba Sahib's own understanding. I do not know anything about it; Baba Sahib must know it.

When your father made any payment to your mother, how is the entry made in the chopra. Is it written Baee, or Baee Sahib?—Among the Deccanees, the husband will never mention the word Baee* or Baee Sahib in reference to his wife when directing an entry to be made. But when my father pays any money to my mother, I, the goomashtas, and others, when addressing my mother use the word "Baee Sahib," and in the chopra, the entry on the debit side is made to "Soobagwuntee Baee Sahib." I do not call my mother by the short term Baee, nor do I write so.

You have stated above, that the translation which Larcoba made was not more than two sheets. What is the reason for 100 rupees being paid for so little work?—I was not acquainted with Larcoba before, but as I used to go to learn English at Hurba Appa, and he and Larcoba being friends, I became acquainted with the latter. I had informed Larcoba that a dispute with Gungadhur Shastree was going on, who was aware of it. I told Larcoba that my father wanted some English work to be done, and as he is employed in the residency I should mention it to no one if he would undertake to do the translations; he replied, if he was paid well he would do it, but not to mention it to any one. I said I have no occasion to tell any body of it, all I care is to get my business done, which if he did, he would be well paid. On this he assented, and translated it on two sheets of paper, which I took to my father and told him, that as Larcoba will do our business, to pay him whatever he may think proper, so as to make him pleased. On this my father gave 100 rupees, which I took and gave to Larcoba.

As you say you used to go to learn English of Hurba, how is it that you got Larcoba and not him to make the translation?—I asked Hurba to do it, but he refused me, and as through Hurba I got acquainted with Larcoba, I got the latter to make it, and paid the amount.

In the Maratta yadee of 21,000 rupees of debit and credit, which was found in the private dufter of your father, there is an entry on the debit side of 3,100 rupees in the name of Soobagwuntee Baee, and underneath it is written, taken by Anna to camp for Larcoba, but from the amount the figure 3 has been struck out, leaving 100 rupees good, and a line drawn on the name of the Baee. From this it appears that you took the amount 3,100 rupees to camp, whereas you say above you only took 100 rupees. State how is this?—In the yad my father may have written as he may have thought proper, but as I got only 100 rupees, I took that amount to camp and paid it to Larcoba. I know nothing else.

Used you to go to Larcoba's house?—As I got acquainted with Larcoba through Hurba, I frequently went to his house.

When you used to be at Larcoba's, did you see any Baee there?—Yes, I saw a Musselmanee woman once or twice there; on this I told Hurba that I saw a respectable looking Musselmanee woman at Larcoba, and asked him who she was. He replied, that I should not put to him such a question, so I said nothing more to him.

Except Larcoba, would you pay any other writer 100 rupees for only two sheets of paper?—To pay any one else, it would be done according to work performed, and with reference to amount agreed upon. As I had need to get the work done, and Larcoba being a Government servant, he may or may not do it secretly, and as he said at the time to pay him well, so my father willingly paid him 100 rupees.

Where are you employed?—I was a goomashta in the firm of Hurry Bhugtee.

(signed) *Kessowrow Wamunrow Nafra.*

(True Translation)

(signed) M. Battye, Assistant Resident.

Appendix, No. 7.

QUESTIONS put by Mr. Andrews to three Native Officers of the Collector's Establishment at Surat; their Replies; and Lieutenant-colonel Outram's Remarks thereon.

Question 1. A MARATTA yad of account is here shown to you; state what items have been struck out, and what corrections have been made, and what were the original amounts; whether the total appears to be 24,000 rupees above or below the yad?

* Tatia, the writer of the memorandum, says, he implicitly wrote every word at the dictation of Baba Nafra; yet there is the word Baee, thus dictated by Baba Nafra, which, according to this testimony of his own son, could not have related to the Baba's wife.

Reply of the Surat Officials.

On examining the yad, it appears that the total on the credit side above, was 23,650 rupees, which was altered to 21,000 rupees. The 3d item of 4,000 rupees composing this sum was altered to 1,000 rupees, and again from the sub-item (3d) of 3,100 rupees the figure 3 was struck out, leaving the 100 rupees good. The total of this and two other items was 4,000 rupees, which was altered to 1,000 rupees. The grand total, 23,650 rupees on the credit side, was altered to 21,000 rupees. In this way alterations have been made in five places on the debit side; the 2d item, 3,100 rupees was altered to 100 rupees, the 3,000 being struck out. In the last item 2,050 rupees for house expense, 350 rupees being added, made the total to 2,400 rupees. The original total of 23,650 rupees was altered to 21,000 rupees. In this way alterations have been made in three places. Whether 24,000 rupees was the original amount of the debit and credit sides, or whether it is an altered one, it does not appear.

Remarks by Lieutenant-colonel Outram.

It appears that the total originally was 23,650 rupees, but that on inserting the item "Kitta 350," the total was altered to 24,000, and then on striking out 3,000 rupees from the credit in the name of "Sobagwuntee Baee," the total had again to be altered to 21,000. These repeated alterations have caused the difficulty in deciphering the figures as they originally stood, as admitted in the remarks attached to the copy of the memorandum furnished to me by Mr. Andrews, as follows. "This item appears to have been originally 23,650 rupees. In regard to the figure 3, there may be some doubt. The item as it now stands is 21,000." The difficulty of deciphering the altered figures is further shown by the following note attached to a translation of the original memorandum by Mr. Battye. "In the original, it looks as if 24,650 had been formerly inserted and altered to 21,000; but the committee of goomastas, in their depositions taken when the original memorandum was before them, on the 27th, 28th, and 29th of August, assume as a matter of course, the total to have been 24,000 rupees, prior to the deduction of the 3,000, because as it now stands, the total is 21,000, and because the sum of all the items of the account amounts to 24,000 without that deduction, and to 21,000 with that deduction." That it was thus understood by Baba Nafra himself, is shown by his examination before the Durbar, on the 20th of August, when questioned regarding the memorandum (the original of which had been acknowledged by him on the 13th *idem: vide* Appendix), wherein the interrogatories assume the total to have been originally 24,000, without objection by the Baba in his explanatory replies.

2. In this yad there is an entry on the debit side in the name of "Sobagwuntee Baee" and Larcoba; state whether the corrected amount of 3,100 rupees was entered on Sobagwuntee Baee's name at the time the yad was made, or afterwards, and after striking out the 3,000 rupees from the Baee's name, 100 rupees is left on Larcoba's name, in a separate entry. Further, when do you suppose was the Baee's name struck out, and Larcoba's name substituted?

Reply of the Surat Officials.

It does not appear that Larcoba's name was inserted at the time the 3,100 rupees was debited to the Baee's name, because "Sobagwuntee Baee's" name and the date Vud 8th, was written at once and the same moment, and in one handwriting. That a line is drawn across the name of "Sobagwuntee Baee," leaving the words Vud 8th unaltered, but to which is added, taken to camp by Anna for Larcoba; this must have been done afterwards. That the additional words were written fine, and not on the line for want of room, and there is a difference in the ink, from which it appears that the writing is new. That Sobagwuntee Baee's name has been struck out, and 100 rupees has been allowed to remain good in the name of Larcoba, which appears to have been done afterwards. From this it appears that the Baee's name from the debit side has been struck out. In the same way 3,000 rupees was struck out of the same date from the credit side, and debited 100 rupees to Larcoba; 350 rupees was credited at the end of the yad without name (Kitta). Thus, the total from 23,650 was reduced to 21,000 rupees, and that the 3,100 was struck out from the Baee's name at the time the 350 was credited, leaving 100 rupees in Larcoba's name. If

Remarks by Lieutenant-colonel Outram.

Tatia Bah, the writer of the memorandum, himself describes the manner in which that document was framed (*vide* Appendix.) From which it will be seen, that the Surat officials are quite wrong in their surmise that Larcoba's name was "not inserted at the time the 3,100 rupees was debited to the Baee's name," or that the words "taken into camp by Anna for Larcoba" were written afterwards, or that "Sobagwuntee Baee" being struck out, and 100 rupees allowed to remain good in the name of Larcoba "was done afterwards." For the writer declares, and his declaration is confirmed by Baba Nafra himself, who dictated the writing, that "the alterations were made while the yad was under preparation, and by desire of Baba." * * * "The yad was written at once, as Baba told me, and I recollect the item of 350 rupees was entered before the total was made." * * * "I have seen the copy (that sent by Mr. Andrews) of the yad, which is like the original. It was at once written; no conversation took place about the words written below Sobagwuntee Baee's name, viz.: 'taken into camp by Anna for Larcoba,' as written in the yad. I was desired by Baba to write on the name of Sobagwuntee Baee. 'Anna took to camp for payment to Larcoba;' after which, a line

this was not done, the total of 24,000 rupees credited side, could not be made. The total from 23,650 was made to 21,000, exclusive of the item of house expense; the total of the other items amount to 18,000 rupees, and 350 rupees being added to item of house expense, made it 2,400 rupees, and the total of 23,650 rupees was reduced to 21,000 rupees. The entries of 350 rupees and 100 rupees, and the reduction of 3,100 in the name of the Baee on debit side, was done at once and the same time. was drawn across the Baee's name, and the figure 3 struck out, leaving the 100 good, and the words below were left unaltered as desired by Baba.' But for what reason this was done I do not know, as no conversation at that time took place on the subject; Baba must know best." * * * "The original yad is not here, but it was wholly written at once. I do not recollect when the words 'Anna taken into camp' were written, whether water was put in the inkstand, or whether it was written with a new pen at the time I do not recollect, but this item was written all at once and the same time, and not afterwards." * * * "On seeing the copy of the yad, I beg to state, that the original yadee was written at once by me, at one and the same time the alterations were made, no increase or decrease was subsequently made in it," &c. On this subject a reply has been received from the Durbar (*vide* Appendix A), with reference to the examination of Baba Nafra on the original document, from which the following is an extract: "From the substance of the second question of the paper of questions and answers at present received (from Surat), it would appear that Anna had taken into camp 100 rupees for Larcoba, and the sum of 350 rupees on account of 'Kitta;' these answers seem to them to have been made upon a subsequent occasion. For the elucidation of this point, Baba Nafra had submitted his private chopras, in which a memorandum for 21,000 rupees was found, with the words on the debit and credit side lined across. The original memorandum on being shown to Baba Nafra, on account of the recent proceedings, he read the whole of the memorandum, and identified it as the hand-writing of his wife's sister's son, Tatiabah, and upon being questioned regarding the names of Larcoba subsequently entered, he does not in his answer admit (that they were subsequently entered), therefore there are no grounds for suspecting that the above entries were subsequently made."

3. State your opinion in full as to why the items have been struck out and alterations made in them?

Reply of the Surat Officials.

It appears that there must have been some tukrar "regarding the payment of the sum of 3,100 rupees to Sobagwuntee Baee," which led to the striking off this amount from the debit and credit sides. The reason of the alterations being made will appear from what has been stated above.

Remarks by Lieutenant-colonel Outram.

The opinion of the Baroda sowkar goomastas as to the object of the alterations given in Appendix No. 4, are at least equally worthy of consideration respecting matters of account, as are those of these revenue servants of Government. On reference thereto it will be seen that they were unanimously of opinion that these alterations denoted a fraudulent transaction.

4. Extracts from the chopras and yadee were received from the Resident, duly attested under his signature; after comparing them with each other, give your opinion on them, and whether the items struck out and those which have been altered have been made with any fraudulent motives; and if so, whether there are grounds for entertaining this suspicion?

Reply of the Surat Officials.

On comparing the yad with the extracts of the chopras, we are of opinion that the former does not appear to have been framed with fraudulent motives, because as the sum of 21,000 rupees is on the credit side in the yad, so is that amount entered in the chopra, and in the debit side 18,000 rupees is entered on the name of Narrayen Row Runchore, besides the item of the Sonar under that head, and that of Larcoba under Hurry Bhughtee's head, agree with those mentioned in the yadee, except in dates. The item of 100 rupees in the Baee's name is separately entered in the chopra in the Baee's name, and it is plainly written "thus received out of the 3,100 rupees." From this it does not appear that the striking out of 3,100 rupees from the yad was done with any fraudulent motives.

Remarks by Lieutenant-colonel Outram.

As remarked in reply to the previous question, the opinion of the sowcar goomastas of Baroda on these points, given in Appendix 4, are entitled to as much consideration as those of Government revenue servants. And surely those of the Baroda bankers themselves, so experienced in these matters, at least are worthy of equal weight; the more especially as they are most reluctant to testify against one of their brethren, with whom some have, moreover, a common interest. With reference to this subject they have again replied, on this paper being referred to them, as follows (*vide* Appendix B.): "The paper containing questions and answers received from Surat has been shown to us, and upon looking upon such questions, the questions asked at this place do not appear to have been put to the dufturdars at Surat. Previously, on the 15th August 1850, we stated, in answer to a question put to us in the

the presence of the Resident, that we had more confidence in the yad than in the chopras; our reason for which is, that in this yad, in the name of Rajeshree Vishnoo Narrayen, the sum of 21,000 rupees is credited, under six separate dates, whereas in Purshotum Runchore's chopras it is credited under date, *i.e.* Jest Sood 13th; after which it is written that this note is to run at four annas per cent. interest per mensem. Again, in the same yad, in Paruk Narrayen Runchore's name, 18,000 rupees is credited under two dates as follows—

"On Sood 14th, 14,000 rupees, Assoo Sood 5th, 4,000; and as under is this sum credited in the chopras under three dates, Vud 7, 12,000 rupees, and 5th, 2,000 rupees, Assoo Sood 8th, 4,000 rupees; according to the above, the entries in the chopras seem to be made in a confused manner. Again, in the debit and credit of the 2d Jest Sood, an item of Asso Sood 8th is written, and the totals balance is taken out on the 1st Sood, which is contrary to the usual practice. Further, in this same day-book (rozmail) four items on the credit side are entered in the month of Bhadurwa, and subsequently the words 2d Jest is entered on the top of the original date. Moreover, in the name of Sobagwuntee, 100 rupees is entered in the yad, Vud 8, this in the chopra is debited on Vud 11th as part of 3,100 rupees, the details of this sum, however, cannot be ascertained. In this manner the entries of the yad are confusedly written in the chopras, and the party who made the yad admits of its having emanated from him; therefore more confidence should be placed on the yad than on the chopras, although it is usual among sowcars to place greater reliance on chopras."

5. In the yad, where a line is drawn across an item, the name "Sobagwutee Baee" is only written, but in the chopra the word "Baee Sahib" is used, on whose name 100 rupees is entered. As the word "Sahib" is added in the chopra, does this refer to two persons, "Baee," and "Baee Sahib," or to one person; give your opinion on it?

Reply of the Surat Officials.

In the "kutcha khurda" (yads) the words Sobagwuntee Baee is written, and that in the extracts of the chopras Sobagwuntee Baee Sahib; this does not make two persons, as it clearly appears from the extracts and what is stated above, that 100 rupees was paid out of the 3,100 rupees. Thus then a person in the family will write Sobagwuntee Baee, but a goomashta or carcoon will use the word Baee Sahib out of respect. In this way it has been done. For instance, it is disrespectfully written that 100 rupees "taken by Anna to camp for Larcoba," whereas in the chopra it is "Anna Sahib," so in this manner "Baee" and Baae Sahib is written.

Remarks by Lieutenant-colonel Outram.

A reference to the examination of Anna, Baba Nafra's own son (Appendix) will show that among the class to which their family belongs, "the husband will never mention the Baee, 'or Baee Sahib,' in reference to his wife, when directing an entry to be made. But when my father pays any money to my mother, I, the goomastas and others, when addressing my mother, use the word 'Baee Sahib,' and in the chopra the entry on the debit side is made to 'Sobagwuntee Baee Sahib;' I do not call my mother by the short term Baee, nor do I write so." The memorandum was written by a goomashta, and the additions were made while the memorandum was under preparation.

6. As the corrections in the amount of the yad agree with that entered in the chopra, have you any reason to believe that the alterations made in the yad are incorrect, or that they were done with any fraudulent motives?

Reply of the Surat Officials.

Unless proof is shown that the amount reduced in the yad has been laid out in any other way, there appears no reason to suppose that the alterations were falsely made in the yad. The items in the chopra agree with those in the yadee; the pages of the khata (account) are given on the debit and credit side, therefore there is no reason to say that the alterations have been made with fraudulent motives.

Remarks by Lieutenant-colonel Outram.

It is shown above that the principal sowcars of Baroda pronounce that the items composing the amount of the yad (memorandum), even subsequent to the corrections, do not agree with those entered in the chopras, and that they do suspect fraudulent motives, being of opinion that more dependence should be placed on the yad than on the chapras, the entries in which are mostly written in a very irregular manner. On reference to the replies of the Ahmedabad sowcars (appended here, C.), to queries having reference to the mode in which the chopras are kept, it will be seen that they are of the same opinion. Why were not Mr. Andrews' queries put to the principal sowcars of Surat, instead of to the revenue servants of Government?

7. It is usual to write in Mahrata accounts the word "Sobagwuntee Baee" for a kept woman. By adding the word "Sahib" to it, does that refer to the wife of a respectable person? In not adding the word "Sahib" to Sobagwuntee Baee, does it allude to a kept woman?

Reply of the Surat Officials.

"Sobagwuntee Baee" refers to a married woman, whose husband is living. A person in the family may write "Sobagwuntee Baee," but a goomasta or carcoon will write "Sobagwuntee Baee Sahib." It is not customary to call a kept woman "Sobagwuntee Baee."

Remarks by Lieutenant-colonel Outram.

The reply to the 5th question shows that even Baba Nafra's own son neither addresses his mother "Sobagwuntee Baee," nor writes it so, the "Sahib" always being added. And he declares that the Baba himself, when directing any entry of money paid to her, makes use of neither term, but that the persons writing the entry in such case always writes "Baee Sahib," yet this entry was made by one of the goomastas at Baba Nafra's dictation. On the 15th August (Letter E.) I informed Mr. Andrews that the Baroda sowcars had stated in public assembly that the term "Sobagwuntee Baee" applied both to kept woman and to married woman, but that in the latter case, where the husband was respectable, "Sahib" would be added. And it will be seen on reference to Appendix, that the Durbar confirms the fact thus: "It is usual at this place (Baroda) for kept mistresses to be termed in letters, papers, &c. Sobagwuntee."

8. What is the object of entering certain items in "khurda," before bringing them on regular accounts. In which can most reliance be placed, whether in khurda or chopras?

Reply of the Surat Officials.

Imperfect and nominal dealings are written in "kucha khurda," and carried to regular accounts when they become perfect or actual, for alterations can be made in the former as circumstances may require, and not in the latter.

The chopras in which adjustments are made can be relied on more than the kutcha khurda, as all the accounts are made from chopras.

Remarks by Lieutenant-colonel Outram.

The memorandum is, I presume, here supposed to represent the "khurda." The following is the opinion recorded by the sowcars of Baroda on the 15th August (*vide* Appendix), as to the relative reliance to be placed on that document or the chopras, in which the answering items are recorded. "The yad (private memorandum) does not tally with the chopras, and as the genuineness of the former is admitted by both Baba Nafra and his sister-in-law's son (the writer), we are of opinion that more dependence should be placed on the yad (memorandum) than on the chopras, the entries in which are mostly written in a very irregular manner."—*Vide* also subsequent questions put to the sowcars, annexed to para. of report.

9. Although the items entered on debit side appear credit in accounts of the person to whom they are debited, yet of the person in whose name a corresponding credit is afforded by the party who has made the side debit is not traceable, would any doubt arise as to the correctness of the debit?

10. If to conceal the payment of bribes, false credits and debits are made, is it not necessary, for the purpose of facilitating the settlement of the general account, to adjust the account of that person, to whom the credit is afforded, at the end of the year; and whether can it be said, from the circumstances of the credit being afforded to a person who is not traceable, and to whom nothing has since been debited, that the credit was made with a fraudulent intent?

11. If, to conceal the name of the person to whom bribe is actually paid, false entries are made on the credit and debit sides, and excluded from the additions of both sides, could it be said that so much less was expended, or whether something else would be meant by it?

Reply of the Surat Officials.

To Question 9. If the corresponding credit is afforded by the person debited therewith, notwithstanding the man to whom credit given by the debiting party is not to be found, there could be no proper reason to doubt the correctness of the entries on the debit side, as in this country it is customary among sowcars to credit in any one's name any sum from their private sources for different trades.

To Question 10. If the amount is credited as herein stated it should of course be fairly adjusted, but even if such is not done, it cannot on that account alone be said that the amount credited to any one's name was intended for the payment of bribe.

Remarks by Lieutenant-colonel Outram.

The replies of the sowcars of Ahmedabad to queries put to them through Mr. Jenkins, hereafter appended, fully meet these questions (9th, 10th, & 11th,) and it will be seen are entirely opposed to the opinion given by the Surat officials. They state, in reply to the questions of the acting magistrate, regarding the adjustment of 21,000 rupees, that although it is customary among sowcars to invest money in another name when depositor may not wish to record his own, still that the proper adjustment of the deposit should be shown, otherwise the entry would be suspicious. Baba Nafra, in his deposition taken in this case, states that the sum credited in Vishnoo Narrain's name is his own, but there is no account kept of its adjustment, and that in his own chopras he has made

To Question 11. In such case the expense must have been so much less; there appears no other meaning than that.

made such entries and adjustments as he thought proper. Thus he shows no account of the adjustment of this item, and his own statement proves his chopras to have been written as he pleased, and not according to the sowkaree custom.

When all this is taken into consideration therefore, it would appear that the 9th, 10th, and 11th questions put to the Surat people do not agree with Baba's own account, and the credit of 21,000 rupees, in Vishnoo Narrain's name, appears to have been falsely made for some improper purpose.

12. Is money paid as bribe debited to him to whom paid?

Reply of the Surat Officials.

No, in that case it would appear due by him.

Remarks by Lieutenant-colonel Outram.

The money supposed to have been expended in bribery in this case, is credited to a fictitious name, not to the party supposed to have received it, and most of it debited to a son of Baba Nafra himself.

13. In kutcha khurda an item of 3,100 rupees was debited to Sobagwuntee Baee: State who she may be; 3,000 rupees have been struck off the credit and debited sides, and 350 rupees added on credit side; what may be the cause of so doing?

Reply of the Surat Officials.

When great men and sowcars pay money to their mothers and wives, &c. on any occasion, they never mention their names, so it appears that this sum might have been paid to any woman of the family. The object of striking off 3,000 and adding 350, seems that a large sum was expected from somewhere, but only 21,000 rupees received, which being found insufficient to meet various demands, 3,000 less paid to the woman, as she belonged to the house.

Remarks by Lieutenant-colonel Outram.

The question as to who "Sobagwuntee Baee" may be, has been replied to in the remarks on the 7th question. In my remarks on the second question, is given the reply of Tattiabhas, the writer of the memorandum, relating to the striking off of the 3,000 and addition of the 350 as follows: "The yad was written at once, as Baba Nafra told me, and I recollect the item of 350 rupees was entered before the total was made." It is curious to observe that the question here put by Mr. Andrews to the Surat officers, implies the belief that these alterations were made by the Baba, or according to his orders, while the tone of that gentleman's letters, at the date of the Surat Committee, clearly denoted his suspicions that some, if not all the alterations had been dishonestly introduced by the enemies of himself, Doolun, Larcoba, and Moongajee. Fifty suppositions, quite as probable as those of the Surat officers, could be advanced in favour of their respective views, both by those who believe and by those who disbelieve that Doolun received money. In my memoir it will be seen I have noticed Baba Nafra's own absurd story, which legitimately reasoned on, went to show that the fact of his wife not requiring 3,000 rupees intended to be given her, not only diminished his disbursements by that amount, but was also the cause of the mysterious disappearance of 3,000 rupees of an already realized godsend.

(signed) *J. Outram,* Resident.

(A.)

TRANSLATE of a Yad from his Highness the Guicowar to the Resident, dated 1st Mhorum H. 1251 (6th November 1850).

IN your yad, No. 940, dated 17th October 1850, which has been received, it is stated that "in the dufters of Baba Nafra, which had been brought to the residency for the purpose of being examined, the memorandum which was found regarding an item of 21,000 rupees, on account of 'Jumma Khurch,' regarding which Mr. Andrews, the Government agent at Surat, examined the dufterdars of the Surat Zillah, *i.e.* Ajum, Jaybhaee, Hurreebhaee, Vennaick Gunness, and Suddassew Gopall, who upon being interrogated gave the answers contained in the accompanying copy thereof transmitted with this yad; and upon this same subject the Baroda sowcars formerly, both to the Guicowar Sirkar and to the Resident, submitted answers to the questions put to them, which should be compared with the document at present sent; and with reference to the several questions and answers contained in both documents from Surat, and that formerly taken at this place, the sowkars should be called upon to find out, regarding the item of 21,000 rupees, whether their explanations agree, and in case any discrepancies exist, to point them out, with detailed explanations in writing, for my information," &c. In reply to which, be it known that in the above case the sowcars of this place, Ajum, Gopal Row and Myral, &c. have been shown the paper received from Surat, containing the questions and answers, and they were called upon for an explanation, which, with the questions put to them, is contained in the copy submitted with this yad;

and from the substance of such answers given by them, it would appear that they do not think the yad regarding the item of 21,000 rupees and the chopras, were submitted to the people at Surat, and questions put to them, in the same way as they were put to themselves here. The practice obtaining amongst sowcars is to place reliance upon the chopras; but the very item in the chopra regarding which doubt exists, this very item is not written according to the usual practice, but in a very confused and irregular manner; whereas the yad, from which the "Jumma Khurch" is taken, Baba Nafra admits as emanating from him; this circumstance should induce greater reliance to be placed upon it than upon the chopra. From the substance of the second question of the paper of questions and answers at present received, it would appear that the words "Anna had taken into camp 100 rupees for Ladcoba," and the item of 350 rupees on account of Kitta, these entries seem to them to have been made upon a subsequent occasion; for the elucidation of this point, Baba Nafra had submitted his private chopras, in which a memorandum for 21,000 rupees was found, with the words on the debit and credit side lined across. This original memorandum, upon being shown to Baba Nafra, on account of the recent proceedings, he read the whole of the memorandum, and identified it as in the hand-writing of his wife's sister's son Tattiaba; and upon being questioned regarding the names of Ladcoba, &c. being subsequently entered, he does not in his answer admit (*that they were subsequently entered), therefore there are no grounds for suspecting that the above entries were subsequently made. In reply to the 7th question, it is written that it is not customary to call a kept mistress by the title of "Sobagwuntee." On inquiry, I learn that it cannot be said that it is not customary here for entering the name of Sobagwuntee in the dufters.

* Not in so many words in the original, but appears to be the meaning entered to be conveyed.

TRANSLATION of a Yad from his Highness the Guicowar to the Resident, dated 5th Mhorum H. 1251 (10 November 1850).

A YAD from the Resident, dated 9th November 1850, No. 1032, has been received, in which it is stated that "From the house of Baba Nafra a debit and credit memorandum for the sum of 21,000 rupees was found, and on the subject of which a paper of questions and answers received from the Government agent at Surat, and the reply from his Highness the Guicowar to the Resident's reference, on the subject of the term of 'Sobagwuntee' being used with reference to kept mistresses not being considered clear enough, a more lucid explanation is called for." In reply, be it known that on the 1st Mhorum Sumvut 1907, a yad containing full particulars was submitted; but as the Resident has been put to inconvenience in calling for further and more lucid information, I beg to submit that it is usual at this place for kept mistresses to be termed on letters, papers, &c. "Sobagwuntee." The above is submitted for the information of the Resident.

(B.)

TRANSLATIONS of Questions put to, and replies received from Paruck Gopal Row Myral, and other Baroda Sowcars, by his Highness the Guicowar.

Question.—YOU all, before the Resident, in the case of Joitabaee Settanee, saw a yad obtained from the house of Baba Nafra about an item of 21,000 rupees, and upon the inspection of his private chopras you seemed to place more reliance upon the yad than upon such chopras, but the dufterdars Jaybaee, &c., at Surat, being questioned on the same subject, seem to place more confidence on the chopras than on the yad, and submitted replies accordingly; the paper containing such questions and answers is submitted for your inspection, and you are called upon to explain what difference exists between your and their replies?—*Answer.* The paper containing the questions and answers received from Surat has been shown to us, and upon looking upon such questions—the questions asked us at this place as appear not to have been put to the dufterdars at Surat previously on the 15th August 1850—we stated in answer to a question put to us in the presence of the Resident, that we had more confidence in the yad than in the chopras, our reason for which is, that in this yad, in the name of Rajehshree Vishnoo Narrain, the sum of 21,000 rupees is credited under six separate dates, whereas in Purshotum Runchore's chopras, it is credited under one date, *i. e.* Jait Sood 13th, after which it is written that this note is to run at 4 annas per cent. interest per mensem. Again, in the same yad, in Paruck Narrain Runchore's name, 18,000 rupees is credited under two dates as follows:

On Vud 14th, 14,000 rupees; Asso Sood 5th, 4,000 rupees, and as under, is this sum credited in the chopras under three dates; Vud 7th, 12,000 rupees; Vud 5th, 2,000 rupees; Assoo Sood 8th, 4,000 rupees.

According to the above, the entries in the chopras seem to be made in a confused manner. Again, in debit and credit of the 2d Jait, an item of Asso Sood 8th is written, and the total balance is taken out on the 1st Sood, which is contrary to the usual practice; further in this same day-book (Rozmail), four items on the credit side are entered in the month of Bhadurwa, and subsequently the words 2d Jait is entered on the top of the original date. Moreover in the name of Sobagwuntee, 100 rupees is entered in the yad on Vud 8th, this in the chopra is debited on Vud 11th, as part of 3,100 rupees; the details of this sum however cannot be ascertained. In this manner the entries of the yad are confusedly written in the

the chopras, and the party who made the yad admits of its having emanated from him, therefore more confidence should be placed on the yad than on the chopras, although it is usual amongst sowcars to place greater reliance upon chopras. According to the above are our answers to the questions put us.

(signed) *Gopall Row Myrals, &c.*
Paruck Mooteelall Samuldass.
Paruck Munguldass Lukbeedass.
Paruck Ruttonjee Khundass.
Paruck Khooshallchund Ambaeedass.

(C.)

TRANSLATION of the Questions put to the Sowcars of Ahmedabad, and their Replies, before the Acting Magistrate of Ahmedabad, on the 23d October 1850.

Question. IF a doubt be entertained regarding the chopras of any person, the same being examined, and the person in whose name the suspicious items are credited is not in existence, and the owner of the chopras says the money is his, but that he has no document of its adjustment to show as to from where it came, and how much he got, and what the balance remains from it, if he will not also show the debit and credit of the suspicious items, state whether doubts should be entertained or not regarding such items?—*Answer.* If a person invests a sum at a sowcar's in the name of another, he does so provided he has confidence in the said sowcar, from whom he takes a writing that he will not make his name public, in which case the said sowcar on being asked by any person, will say, in virtue of the writing passed by him, that the money is his own, but in the chopra he should make the proper adjustment. If he does not do this, there is room for suspicion.

If in rojmail the amount of debit exceeds that of credit, is it customary among sowcars to debit more than the credit?—It is not customary that the debit should be more than the credit, but among the sowcars the adjustment is made either weekly, fortnightly, or monthly, just as is the practice of each sowcar. But sometimes a sowcar debits transfer items without crediting them, which would make the total of debit side greater than that of the credit, but at the time of closing the accounts they are properly adjusted.

If in the chopra of any person 100 rupees is debited as paid on account of 3,100 rupees, state whether there should not be a credit given for this sum (3,100) in the said chopra, or a debit and credit for the balance. If this be not done, can any reliance be placed on this item?—There should be a debit and credit for the 3,100 rupees, if this be not done suspicion will be attached to it.

Is it customary among the sowcars to debit an amount without paying it?—No, such is not customary among sowcars.

The above answers to the questions are properly made by us.

(signed) *Hernabhaee Wukutchund.*
Juggabhaee Kandass.
Jethabhaee Mooljee.
Muggonbhaee Kurunchund.
by *Treecunadass.*

(True translation.)
(signed) M. Battye, Assistant Resident.

Appendix, No. 8 A.

TRANSLATE of a Deposition of Vunmallee Doolub; persuasion, Hindoo; caste, Leva Patteedar; occupation, Merchant; age about 55 years; Inhabitant of Baroda; taken on 1st September 1850, before Colonel Outram, Resident, Baroda.

Question. IN the year Sumvut 1903 (A.D. 1847), you held the opium farm in the Baroda camp, and your shop was situate opposite to the flagstaff in the Sudder Bazar, and directly opposite your shop in an upper-roomed house, did Ladcoba live or not, when did he come there, and upon whose sending for him. If you are aware of any thing relating to the above facts, state the truth?—*Answer.* In Sumvut 1903 (A.D. 1847), in camp, the opium farm was held by me, and in the Sudder Bazar, opposite to the flagstaff my shop is still situated, therefore I am aware that Andrews Sahib was the Resident at Baroda, at which time (I do not know the date) after the arrival of Mr. Andrews, a Purvoe from Surat, named Moongajee, came to see him; he became acquainted with the Sookda Putell Desayebhaee Verzeerbhaee, an acquaintance of Cheeneewalla, of Surat, with whom Moongajee also appears to have become acquainted; therefore Moongajee, through the instrumentality of the Desaye Putell, engaged a lodging opposite to my shop in the upstair house of Runchore Peetamber, and there put up. At that time with Moongajee, Ladcoba also came, and Moongajee made interest with the Sahib to get a friend of his an appointment in the residency office; at this time in the residency treasury, there was an English writer named Purvoe Bapoojeee whom the Sahib caused to take his pension, and his place was given to Ladcoba, after which the head purvoe in the residency treasury, Narrain Row Luximon, took up an appointment at

Broach, and this individual's situation becoming vacant, Moongajee got Ladcoba's elder brother, Potoobhaee, who was at Broach, sent for, and secured this appointment for him. About one month Moongajee remained here, and returned to Surat, after which Potooba arrived here, and for a long time conducted the duties of Narrain Row, but he did not seem to understand the business, therefore Potooba returned to Broach, but Ladcoba remained in his appointment here, who for about five or six months occupied the upstairs opposite to my house, after which he left, and on the western side of the Sudder Bazar he lived near a well in the house of Koonjbeeyarree Purdasee. From the period of the arrival of this Moongajee, through the friendship existing between myself and the Desaye Putell, I became acquainted with him, and in consequence of furnishing him with various articles he required, I was a constant visitor at his place, therefore have I become acquainted with the above particulars.

What relationship existed between Moongajee and Ladcoba, are you aware of?—When Moongajee was here, from what he said I am aware that Ladcoba and Potooba, these two brothers, were the sons of Moongajee's (wife's sister) sister-in-law, and Moongajee loved Ladcoba as his own natural son.

When Moongajee was staying at this place, what persons from the city used to visit him, and whom in the city used he to visit?—People from the city used to visit him, and he used to visit upon parties in the city, but their names I do not know, because I am a man of business, and engaged in it; consequently at night, when Moongajee or Ladcoba was disengaged, I used to wait upon them.

At Ladcoba's, did you at any time see Baba Nafra's son coming?—When Moongajee was here, and after his departure, Ladcoba remained here, at whose place Baba Nafra's son used to call, but on such occasions when anything private was to be communicated, I was never permitted to remain; therefore, what conversation transpired, and upon what business he came, how was I to know; opposite to my shop in an upstair room they lived, which they left, and Ladcoba went and resided in a house near the well, which latter house had also a back-door; therefore, from the time they occupied this latter house, any parties coming upon such a business, and desiring a private interview could do so by the back-door secretly, in the compound of the house, and go away; but whenever I used to call upon Ladcoba, I used to go by the front door, after having ascertained whether he was at leisure or otherwise.

(signed) *Putell Vunmallee Doolub.*
In his own hand-writing.

(True translation.)
(signed) M. Battye, Assistant Resident.

Appendix, No. 8 B.

To Colonel Outram, C.B., Resident of Baroda.

Sir,

As I understand that some inquiry is at stand, I beg to make the following comment on the conduct of Moongajee Dumath, a purvoe of Surat, if he be concerned in the matter in question, through whose means, not only Mr. Andrews has been a public talk at Surat, &c., but many families have been thrown into distress.

In the year 1824, he, with others, had collected from the Marfeetias some bribe for Mr. N. Shaw, the then Collector of Customs at Surat, but that gentleman being a great hoosheear handed up the case to the criminal court, and the man was dismissed from Government service, and proclamations to that effect were issued in February 1825; but the Devil is the supporter of diabolical people,—his minute was cancelled by some one's recommendation, in June 1838, and Moongajee was employed by Mr. Andrews in the Surat collectorate, and for whose conduct in that department, I beg refer you to the Revenue Commissioner's records for the year 1838-39. In June 1848, when Moongajee not having more convenience to wait upon Mr. Andrews every now and then, Kissondass Muccundass, the late second clerk of the Surat Adawlut, was forced immediately, prior to and after his completing 30 years' service, to retire on his pension, and Moongajee became his successor; but Moongajee, to impose upon and convince people the more that Mr. Andrews listens to what he says, made Mr. A. to force Cowasjee Shapoorjee, head clerk, to retire also on his pension, though he was well able and efficient to serve for several years' more; but on the head clerk raising objections, many threatening expressions were used by Mr. Andrews, which induced the man to go on leave for some period; but when the matter was brought to the notice of the benevolent justifiable authorities of Company's Government, he was at once reinstated; not only these two persons suffered for Moongajee, but a poor man (Pestonjee Palunjee), fourth writer, is thrown on a pension of about Rs. 5. 8. merely to make room for Ladcoba, late deputy-accountant of the Baroda residency, and relation to Moongajee; and several other officers of the Adawlut have shared the same fate.

I further beg to observe, what must be the motive of Moongajee (previous and subsequent to being a second clerk) in making a trip every morning for about two or three hours to Mr. Andrews' quarters, holding cutchery at his own house, consulting with the vakeels of the court, the suitors, and carbaries of the Mandavie, and other states; also frequenting the houses of Premcoover and Muncha, the daughter and widow of the late

Doolubbhoy

Doolubbhoy Hurgowundass, where he effected a settlement of pecuniary dispute existing between them for about 71,000 rupees, in company with Gopall Rutonjee, a sowkar, and Narranrow Hurretrimbuck, late head accountant of the Surat collectorate. He also every now and then holds consultation with Keshowrow, son of the late native agent of the Baroda residency, Nursingrow, Luximon; and it is said that Keshowrow was in the first week in October 1850, for three nights, from 7 P.M. till 3 A.M. with Mr. Andrews, in addition to his daily visits, which almost last for a whole day.

I am, &c.
(signed) *Anti-abuse.*

(True copy.)
(signed) M. Battye, Assistant Resident.

Appendix, No. 9 A.

TRANSLATION of a Yad from his Highness the Guicwar to the Resident, dated 30th Zilkad Soorsun 1251, (A.D. 7 October 1850).

THE native agent Soorujram sent a note to Govindrow, stating that the sheristedar of Surat, by name Nurbheyram Keesundass, had arrived here, who is anxious to see the different items entered in the chopras of Samul Bhugtee, and those of other firms, and requesting that the required chopras may be shown to him in the presence of respectable persons. Accordingly, instructions were issued to Sumbooram Khooshall on the subject, who made over the chopras required by Nurbheyram, in the presence of the native agent. Nurbheyram, on being asked whether he required the presence of any respectable persons, replied in the negative. After having examined the chopras, he took extracts from them, and both he and Soorujram came to the Durbar for the purpose of having the extracts authenticated by sowcars. A conversation then took place, which having been put down in writing, is here enclosed for your information, on the score of friendship. From this it will appear, that immediate assistance has been afforded by this Government in this case. The confidential goomasta of Joitee Santanee, by name Balmookund, and Mootee Heerachund, represented that they had something to communicate to the Durbar, on which Bapoo Shastree took down in writing what this man had to say. From their statements (2 & 3) the Durbar has learnt with much surprise, that, considering the friendship which exists between the two Governments, the servants of the British Government, not only behave disrespectfully, but speak ill of the kamdars of this Government in the presence of its own subjects. This is not right. But this Government has hopes, that if this circumstance be brought to the notice of the superiors of such servants, their conduct will not pass unnoticed. For this reason this Government sends copies of two statements mentioned above, and hopes that the Resident will take the matter into his consideration on the score of friendship.

Enclosure to the above.

TRANSLATE of an Extract from the Diary of the Durbar, dated 11th Bhadurwa Wud 1906 (2 October 1850).

SOORUJRAM, the native agent, accompanied by Nurbheyram, a sheristedar of the Surat Adawlut, came to-day to the palace; they were conducted to his Highness' presence, who was sitting on the terrace. Bhow Tambeykur was ordered to ask Nurbheyram if he wished to examine any other chopras; he replied in the negative, saying that he had copied all he wanted. Soorujram then said, that Nurbheyram wished to obtain the sowcar's signatures to the extracts which he had made; the following persons were accordingly called up-stairs, Gopallrow Myral, and his carcoons, Hureebhow Gahlay, Paruck Mooteelall Samuldass, his mooneem Babajee Paruck, Chooneelall Dulloobhaee, and carcoon Lucharam Omtakur, and his Highness communicated to them Nurbheyram's wish. They replied, that there was no occasion for them to sign the paper, but the mooneem of the firm should be called upon to do so. Bhow Tambeykur endeavoured to pursuade them to it, but they replied, that the extracts which they had formerly made and signed, regarding the 21,000 rupees, should be compared with those now made; Nurbheyram said, that it was necessary they should sign the extracts which he had made. The sowcars again refused to sign, saying they did not see the necessity for so doing. Nurbheyram was then asked if he had any questions to put to Baba Nafra, who was close at hand; he said no, that he had nothing to say to him. He was then reminded, that when Sumbooram told him that the Resident had requested that some influential natives might be present when he was making the extracts, he replied, that he did not require them; stating, that he considered the native agent Soorujram as in the place of the Resident, and Sumbooram as representing his Highness. Now, therefore, (he was asked) where is the necessity for the sowcars? To this Nurbheyram replied, that at that time he certainly said as above stated, but that now, wished to have the extracts attested, to relieve himself of responsibility. The sowcars were then again urged to comply, but they merely repeated their former objections.

The sowcars then took leave, Nurbheyram followed, and the business was closed.

Appendix, No. 9 B.

TRANSLATION of a Yad from his Highness the Guicwar to the Resident, dated 17th Zilhez Soorsun 1251 (A.D. 24 October 1850).

A YAD was received from the Residency, 21st October 1850, No. 952, forwarding copy of a Report from Nurbheyram Kissundass, sheristedar of the Judge at Surat, for such notice as this Durbar may think proper to take.

In reply, this Government begs to state, that the report of the sheristedar contains statements at variance with what had taken place here, but with what view he has thus written does not appear. It is not, however, the wish of this Government to write much on the subject. But this Government begs on the score of friendship, to represent what took place at the Durbar. When Nurbheyram was asked at the Durbar whether Sumbooram had not told him at the time he was examining the chopras that he had sent for the sowcars, he replied, that he did not then require them, and therefore had said no. But in order to remove the responsibility from himself, he now required the attestations of the sowcars to the copies he had made. Such being the case, he now says, that from the beginning no committee was assembled. How is this? He further states, that "as the sowcars did not authenticate the copies, and thinking that some new obstacles would be raised, he sent a man after Soorujram's garry to obtain information; that his man saw Soorujram and Bhow Tambakur sitting together, and that the goomastas of Huree Bhugtee and Sumbooram Khooshal were also there." This seems very strange, because there is no objection, on the score of friendship, for the Sirkaree kamdars to visit each other on public business. Such being the case, what suspicion Nurbheyram entertained on the subject which induced him to send a man to obtain such information, and whose authority he had for so doing, this Government cannot understand. This matter is a source of great regret to this Government, because these circumstances have been introduced in his Report in order to bring doubts in the minds of the two Sircars against their respective kamdars. As this Government deems it necessary that this matter should be cleared up, it is requested that the Government agent, Mr. W. C. Andrews, be written to on the subject, so that the doubt entertained by this Government may be removed.

Appendix, No. 9 C.

TRANSLATION of a Report from Nurbheyram Kissundass, Sheristedar to W. C. Andrews, Esquire, Judge Surat, dated 22d October 1850.

YOU have informed me that in my report I stated that on the 3d October 1850, Soorujram, native agent, was sitting at Bhow Tambeykurs, where the goomastas of Hurree Bhugtee and Shumbhooram Khooshalbhaee were also in consultation with him; and at the close of my report I have stated that they were concocting matters to bring blame on me, and I am desired to state at what time, how, and through whom I came to know of this matter.

In obedience to the above order, I beg to represent that on the 3d October 1850, at about 10 o'clock, as Soorujram came to the city in his gharry with his men, I sent word to ask whether I should accompany him, or go directed to the residency; he replied, that I should go to the residency, but in the evening previous, Wednesday the 2d instant, after I had left the Durbar, Soorujram remained for a long time with the Maharaj, and spoke in such a way about me as to make the Maharaj take a dislike to me. This I was informed of by a person in Baroda, whose name I cannot mention. The next day (3d) Soorujram having gone to the city, it became necessary for me to find out where he was going; I accordingly sent my man after him and learnt that he was sitting in the house of Bhow Tambeykur, where Shumbooram and goomashtas of Hurree Bhugtee also were; on hearing this, I went the same night to Shumbooram's house, who also told me that Soorujram had come to Bhow Tambeykur's house and was talking a good deal, but Bhow Saheb, after being shaved, got up in disgust and went away. From this I believed what my man had informed me, and I was convinced in my mind, from what I had heard of his having spoken against me the night previous to the Maharaj, that they were concocting something against me.

As regards your question from whom, and when I heard that matters were being concocted to bring blame on me, I beg to state that I cannot give up my authority, because the information was given through friendship. It was at midnight of the 3d October 1850, that I was informed by the persons alluded to, that something was being concocted against me, and that I should leave Baroda quickly, because it was the intention of evil-disposed persons to attack my character, from which it would be difficult for me to escape. This and what I have stated above agree, and from this I believed it to be true. After my return from Baroda, I heard it reported in the Bazar that matters were being got up some way or another and evidence taken. This circumstance has more and more convinced me that what I was informed that night was the truth, and such is going on. What more can I say than this; having immediately on my arrival at Surat informed you of it.

I am fully convinced that the truth will be established when an inquiry is instituted.

(signed) *Nurbheyram Kissundass,*
Sheristedar of the Judge.

Compared by
Rutonlal Misreelal, Karcoon.

Appendix, No. 9 D.

TRANSLATION of a Yad from his Highness the Guicwar to the Resident, dated Zilhez 24th, Soorsun 1251 (A.D. 31 October 1850).

A YAD was received from the Resident, dated 27th October 1850, No. 986, forwarding copy of a report from Nurbheyram Kissundass, Sheristedar of the Judge of Surat for any remarks that Government may have to offer on the subject thereof.

Nurbheyram has written in his report that he was informed by some persons that after he had left the Durbar, Soorujram had remained for a long while with the Mahraj, and spoke ill of him to the Mahraj. That on the following day he (Nurbheyram) went to Sumbooram Khooshall's house, who told him that Soorujram had been to Bhow Tambeykur's house, where he held much conversation with Bhow Sahib, but that the latter, after being shaved, got away in disgust from him. From this he was convinced that something was being concocted to bias the Mahraj against him. In reply this Government has to state, that when Soorujrambhaee and Nurbheyrambhaee came to the Durbar, the Sowcars were sent for to have their attestations made to the copies taken by Nurbheyram in their presence. As both were about going away, Govindrow Roria stated that the usual signature of Soorujrambhaee had not been put to the yads received from the residency. On this Soorujrambhaee said to bring the yads to him and he would attach his signatures to them, and he only remained so long as his time was taken up in attaching his signatures to the yads. But no conversation passed either about Nurbheyram or any other person, nor even about any case. Soorujram was merely told to present the Mahraj's compliment to the Resident. Such being the case, it is necessary to disclose what person has thrown this doubt in his mind, and this he should not hesitate to do, because that person has misrepresented matters to him of which this Government has not the least doubt. On Sumbooram being questioned on the subject, he declared on oath, that when Nurbheyram came to his house there were five or ten persons sitting, and Nurbheyram having asked him what Soorujram had spoken to the Mahraj against him, replied, that he spoke nothing ill of him, that until Soorujram left, he (Sumbooram) was near him; nor did he tell him (Nurbheyram) that Bhow Sahib, after being shaved, had gone away in disgust from Soorujram. Copy of the statement by Shumbhooram is enclosed. Nurbheyram now states, that he cannot give up his authority. This makes it very suspicious, and the person who has informed Nurbheyram of this matter, must be one of those who bears enmity towards this Government, and unless his name is given up, it cannot be clearly ascertained whether he has said this with the view to throw doubts in the minds of both Governments, or what. If Nurbheyram will not give up the name of his authority, therefore it will be a source of regret to this Government, because some time or other Mr. Andrews might become suspicious from what Nurbheyrambhaee may tell him. Nor does it appear with what view the person who told Nurbheyram the above falsehood has thrown doubts upon his mind. This Government therefore requests that the name of Nurbheyram's informant should be obtained in order to clear up the matter.

Enclosure to the above (No. 4.)

TRANSLATION of the Yadee from Sumbooram Khoosall, presented to his Highness the Guicwar, dated Ashvind Wud 10th, Sumvut 1906 (A.D., 30 October 1850).

HAVING been told by the sirkar that Nurbheyram, Sheristedar of the Surat Adawlut, has written in his report that I had informed him that Soorujram had been to Bhow Saheb's house where he was speaking a good deal, but that Bhow Saheb, after being shaved, got up in disgust and left him; that as Nurbheyram had visited me the night previous to his departure for Surat, I am directed to state what conversation passed between myself and Nurbheyram at that time: I beg to declare on oath, that the night previous to Nurbheyram leaving Baroda, as I returned from the Durbar, Nurbheyram came to my house, and as he is a person of rank among my caste, he was, according to custom, well received by me. There were 10 or 12 persons, consisting of my family and others, present. Nurbheyram then said to me, that after he quitted the Mahraj the night previous, Soorujram spoke much against him to the Mahraj; when I told him that after he left the place Soorujram remained sitting, and when he was going, I went as far as the steps to leave him; that until then I was present with the Mahraj, but that Soorujram never spoke any thing about him to the Mahraj. That the same day the yads which were received from the residency had not been attested with Soorujram's signatures, and on Govindrow Roria telling him of this, he put his signature to them, after which he left the place; I then asked Nurbheyram how he came to say such a thing; he replied "very well, I know every thing;" in this manner Nurbheyram spoke in an ambiguous way. Afterwards our conversation turned on private matters, and of caste, &c. Nurbheyram remained for about three-quarters of an hour, and when he was going I went to leave him at the door of my house. No conversation whatever took place about Soorujram, or regarding public matters.

(signed) *Sumbooram Khoosall.*

Appendix, No. 9 E.

TRANSLATION of a Yad from W. C. Andrews, Esq. to the Resident, dated 9 November 1850.

AN English letter from you, dated 2 November 1850, with copies of two yads, and an enclosure from his Highness the Guicowar, has been received by me. In reply I beg you will be so good as to communicate the following to his Highness the Guicowar.

1. In the yad dated 17th Zilhez (24 October) his Highness writes as follows: that "Nurbheyram sheristedar in his report had stated that from the beginning no committee had assembled, which is not true. That Nurbheyram had sent a man after Soorujram's gharry, to see where he was going, and what reason he had to do so, and from whom the said Nurbheyram had received orders to seek information regarding the kamdars of both Governments;" and requesting that explanations may be furnished to remove the doubt from the mind of his Highness. In reply I beg to state, that I had given strict orders to Nurbheyram to examine the chopras in the presence of a committee, and afterwards to obtain their signatures to the extracts which he may make from them, and a letter was addressed to you on the subject. Such being the case, I cannot conceive how Nurbheyram could have dared to say that he did not require a committee. The mere extracts taken by Nurbheyram, without being compared by and to the satisfaction of four respectable persons, would be of no use. This is very clear, and I cannot comprehend what could be his motives for refusing the very thing which was so very necessary to strengthen the case, and for which he was expressly sent. To make extracts according to what is in the chopra is no robbery, or a bad act, therefore there was no reason for him to make the extracts privately. Soorujram and others were present at the time when he made the extracts. What difficulty would it be for him to have had four more persons to sit as committee, so as to induce him to refuse it. In short he would not have dared to disobey my orders, nor was there any reason for him to do so. This and many other matters have been written in the yad; and I cannot comprehend what reasons he could have had in falsely stating in his report his having been refused a committee. It was in the hands of the Resident and the Guicowar Government to appoint or assemble a committee, by whom the extracts were to be signed, after comparing and satisfying themselves as to their correctness. Nurbheyram had nothing to do with this. Had the committee been assembled at the place where Nurbheyram was making extracts, it was not in his power to prevent it. How then could he have refused it, is a point difficult to understand; he was obliged to have the extracts attested by you. Had the committee been appointed, and their attestation made to the extracts, what need was there to obtain your signature? In this yad it is clearly written that Nurbheyram had openly declared to his Highness that, in order to rid himself of responsibility (pulla pak), he wished the sowcars to attach their signatures to the extracts made by him; what can be the reason of his request not being complied with I cannot comprehend. The chief object of Nurbheyram was to obtain the committee's attestations to the extracts made by him, and nothing more; and if the Guicowar had in the smallest degree directed the assembling of a committee for attesting the extracts, no one in Baroda would have dared to say no to him. This much assistance has not been afforded, which has been a source of regret to me; whatever chopras Nurbheyram required, arrangements were made on the score of friendship to let him have extracts from them, for which I am much obliged to his Highness. It is also stated in the yad, what can be the object of Nurbheyram to send a man after Soorujram's gharry. In reply, I beg to state that the reason which induced him to do so he has clearly mentioned in his report. With regard to seeking information about the kamdars of both Governments, I beg to state that Nurbheyram merely ascertained where Soorujram was going. He sent no person after the gharry of the Guicowar's kamdar. What that person saw with his own eyes, and what he ascertained from others, he mentioned the whole to Nurbheyram, which circumstance that individual reported clearly in his report, with his doubts thereon. And there appears to be no cause for his Highness to express his regret in the matter, which I trust his Highness will not entertain. If the kamdars of both Governments were with others in consultation, and had Nurbheyram himself gone there, or got a person to listen to what they were saying, it was just and proper to ask Nurbheyram by whose authority he was acting in this manner. But if a person has a doubt against another, he is at liberty to inquire indirectly as to where the suspected person is gone, where he is sitting, who all are with him, and what he is doing, &c.; there is no occasion to give him such authority, and if a person instituted such inquiries, in order to remove any doubt he may have entertained against another, in the eyes of justice he cannot be considered as an offender; and it has been a source of great regret to me that his Highness should have called for this explanation.

It is stated in another yad, dated 24th Zilhez (31 October) that the native agent did not speak ill of Nurbheyram, nor did Shumbhooram, and if Nurbheyram does not give up the name of the person who falsely informed him of this, it will be a matter of regret to the Guicowar government, because his Highness is not aware what doubts I may entertain against his Highness on Shumbhooram's statement. That his Highness is also not aware with what view the person who gave this false information to Nurbheyram throws doubts on his mind; and in order to clear the point, the name of Nurbheyram's authority should be given up. In reply, I beg to request that his Highness will entirely remove the regret which his Highness entertains on the subject, and to assure his Highness that I never entertained,

entertained, or ever will entertain, any doubt against his Highness; because his Highness always in a friendly manner views every case in a proper light. Of this his Highness may be fully assured on my part. How far the information falsely given to Nurbheyram by his informant is true, or otherwise, will be best known at the time when an inquiry is instituted. But if a person through friendship gives certain information on condition that his name be not made public, and if that information happens to turn out false, it would not be just on the part of a respectable person to expose his informant's name. For this reason I cannot press on Nurbheyram to give up his authority. It is also stated in this yad, that Nurbheyram had put some questions to Sumbooram at Baroda on this subject. From this it appears plain that the person who furnished information to Nurbheyram was true. As regards the conversation which took place between Nurbheyram and Sumbooram, I beg to observe the latter contradicts what the former had said; I cannot place so much dependence upon Sumbooram's statement as I do upon Nurbheyram. If reliance is to be placed upon the former because he is a servant of the Guikwar, well and good; but I have lately found him out in telling so many lies, that if he took 100 oaths, no trust can be placed on his word, unless accompanied by strong proof. I have received several letters from you in English, on reference to which it appears that Sumbooram had informed you that, when I was Acting Resident at Baroda, Moongajee, from Surat, had come, whom I took out for a drive in my carriage; against such gossip the people of Baroda, who pass and repass on the road, will give evidence with open eyes of his falsehood; and Sumbooram had not a bit of shame in him to tell such an untruth. How can any reliance be placed on the statement of such a person on his oath, in the present case; as I feel confident of this, it is unnecessary to write anything in detail.

Appendix, No. 9 F.

TRANSLATION of a Yad to the Resident from his Highness the Guicwar, dated Mohrum 15th, H. 1251 (20 November 1850).

IN a yad from the residency, dated 13th November 1850, No. 1,045), which has been received, it is stated that "copy of a yad received from the Judge of Surat is sent for the information of his Highness; the elucidation of this subject, owing to existing friendship, is contained in the subjoined paras. for the information of Mr. Andrews.

Para. 1. "It had been my positive verbal orders to Nurbheyram to inspect the chopras before the committee appointed for that purpose, and obtain the signatures of the members of that committee upon the extracts which might have been taken from such chopras; and upon this subject the Resident also had been written to. Such being the case, what authority Nurbheyram had to say that he would not have a committee it is difficult to comprehend; and in support of this display of self-authority on his part, other detailed proofs are written, besides which, the naming and appointing of the members of the committee, and they having duly inspected and compared the extracts with the entries in the chopra, attaching the signatures to such copies of extracts, the power of ordering the above were vested with the Guicwar Sirkar and the Resident, regarding which Nurbheyram had nothing whatever to do. Because, after the appointment of the committee, and after its having assembled where Nurbheyram's business was being conducted, Nurbheyram had no authority to prevent them, then how he could have prevented them it is difficult for me to comprehend." Thus is it written in the Surat Judge's yad. In reply to which, be it known, that when the books were being examined by the respectable members of the committee, the sheristedar at Hurree Bhugtee's told Shumbooram Khooshall not to assemble the committee, the particulars of which I inquired. At that time the residency native agent, Soorujrambhaee and Gopalrow Myral, together with two other sowcars and their mooneem, goomastas and my kamdar, were all present. At which time the sheristedar admitted that he desired not to have the committee; and further added, that he wanted the signatures in order to remove the responsibility from himself. After having thus stated at the time, his having now informed the Sahib that from the first day he had been denied a committee appears very strange. Without commands of the Sahib, and contrary to the opinion of the sheristedar, whether to have insisted on the assembly of a committee would have appeared surely on the part of this Sirkar or otherwise, is not taken into consideration, and the Sahib has commenced to write in a different strain, therefore I am helpless.

"Nurbheyram having first refused to have the committee, has in the report stated an untruth, his reasons for doing which I cannot comprehend." Thus the Sahib writes on this subject. From the claims of friendship it should be taken into consideration that it is impossible for the Government to be acquainted with this person's motive in telling his Sahib an untruth; in consequence of the said individual not succeeding in obtaining signatures upon the extracts which he made from these chopras, is attributed by Mr. Andrews to the want of assistance rendered to him by this Sirkar, which has been to me a source of much regret; because if the Sahib had minutely inquired into all that had passed here, he would have discovered that, agreeably to our friendship, this Sirkar rendered every and prompt assistance to the sheristedar. Regarding their not attaching their signatures, the reason urged by the sowcars for not doing so is, that in the chopra the "Jumma Kurch is confusedly entered, and not according to the manner in which accounts are kept by sowcars, therefore they did not place much reliance upon the chopras; and consequently they were unwilling to

attest with their signatures extracts taken from such chopras. Then, setting aside the just reasons advanced for not attesting these extracts, for this Sirkar to give an order that the above-mentioned extracts should be attested, I ask, would such be reasonable and just, or otherwise; therefore the above should be kindly taken into consideration.

"Behind the gharry of the Sirkar's kamdar, Nurbheyram had not sent any person. He received information, and reported what he imagined; in which case, for the Guicwar Sirkar to feel sorry does not appear necessary." In answer to this, upon looking at the reasons advanced by Nurbheyram, in his report of the 9th October 1850, it appears calculated to cause doubt in the Sahib's mind, that "from the first day no committee had assembled; and further, that the signatures were not made upon the copies of the extracts; and that fearing further obstacles were about to be thrown in the way, Nurbheyram had sent persons to follow the garry of Soorujram, and they reported that Soorujram and Tambeykur Bhow were seated together, and the whole of the goomastas of Hurree Bhugtee were also collected, and Sumbooram Khooshall was there also, and the native agent was in the deep consultation in Hurree Bhugtee's shop, and at the time of leaving Baroda it came to his knowledge that every means were being used to defame himself and the Sahib." Thus, it being written, is calculated to cause uneasiness to the Guicwar Sirkar; therefore, as to what caused the sheristedar at the time to entertain such fancies in his mind, the Sahib should kindly furnish me with detailed explanation, that I may be able to show that there were no grounds whatever for their entertainment. Now the sheristedar writes that he will not disclose the name of any one; but when such things are permitted to remain unexplained, every facility will be afforded to such rascals to sow the seeds of discord and suspicion between the two Governments.

2. "The degree of confidence I can place upon what Nurbheyram has stated I feel reluctant to place upon the statement made by Sumbooram. I have received numerous letters from the Resident, upon looking at which it would appear that Sumbooram has so informed the Sahib (Resident) that when I was at Baroda, Moongajee purvoe, from Surat, had come there, whom I used to take out driving in my carriage, he having spread such a false report, the falsity which the people with their eyes open going about Baroda can testify to, and to utter such a barefaced falsehood, he hesitated not in the least; therefore, upon the oath of this man, in a case of the present description, the degree of dependence to be placed is evident, and of which I am fully satisfied." Upon interrogating Sumbooram regarding the particulars contained in the above second para., he gives the following explanation, that "at the residency the dufters of Baba Nafra were being inspected, where myself, the residency native agent, Soorujram, and the moonshee, and other karcoons, and the goomastas of Hurreebugtie's firms, &c., were seated, at which place the circumstance being mooted I heard; but I never with my own eyes witnessed them seated in the carriage, and in the same way I never mentioned having seen them seated in the carriage to any one." From the above statement by him it does not appear that doubt or suspicion should be attached to his assertions. The Sahib also writes that "within the last few days I have discovered so much of his untruth, that even if he should take a hundred oaths, and state anything, I might or might not place confidence upon it." The above being so vaguely expressed I do not comprehend it, consequently upon the subject of what is above written the Sahib should kindly write, and inform me in what business, and on what account, Sumbooram committed himself before the Sahib, to lead his being so thought of, when it will be duly investigated and taken into consideration.

What is written in the above two paras. from the claims of friendship should be duly taken into consideration by the Resident, and a detailed reply is requested by the Guicowar Sirkar. To this effect the Resident is requested to write to Mr. Andrews, at Surat.

(True translation.)

(signed) *M. Battye,*
Assistant Resident.

Appendix, No. 10.

TRANSLATION of a Report from Nurbheyram Kissundass, Sheristedar in the Adawlut at Surat, to W. C. Andrews, Esquire, Judge, dated 9 October 1850.

ON the 21st September 1850, you informed me that a yad of 21,000 rupees was received from the Resident, which sum was credited on the name of Vishnoo Narrain, and that 18,000 rupees has been debited to Narrain Runchore, besides several other items have been debited in it. Brief extracts were also received from the "khurda" of Purshotum Runchore, and from the "avra" for Sumvut 1903 (A.D. 1847), relating to the item debited in the yad, also that from the chopra of Narron Runchore, regarding the debit and credit items, and that from the "khata" of Samul Bhugtee, for the same year, in which 12,000 rupees has been credited to Narron Runchore. But in what way the items of 21,000 rupees on the debit side were written, in what way they were received and paid, and with whose chopras these items agree, I was ordered to examine them, and that I should through the Resident attend his Highness's Durbar, where a committee of sowcars, respectable persons, and shroffs would assemble, in whose presence I should examine the chopras, &c. of Purshotum Runchore, Narrain Runchore, Hurree Bhugtee, Samul Bhugtee, and Ooka Sonar; and after

after obtaining extracts from them, duly attested by the committee, I was to return, and that you had given me a letter to the Resident, who would afford me the required assistance.

2. In obedience to this order, I left Surat on the 23d September, for Baroda, but owing to the rains, I did not arrive at that place till Friday evening, the 27th idem; and on the morning of the 28th I went, at nine o'clock, to the Resident with your letter, where I found that gentleman sitting in the room to the west. I delivered him your letter, who, after reading it, told me that Govindrow Roria, the Guicowar vukeel, usually attends the residency at 11 o'clock A.M. That after he comes, I would be sent with him for the purpose of seeing the chopras and to meet the committee people; but in the mean time I was desired to sit down. Having had an opportunity, I mentioned the report made to Government by the late Mr. Sutherland, Political Commissioner of Guzerat and Resident, in favour of my late brother Anoopram, who was native agent under him, with the view that by mentioning his upright conduct, I would stand a chance of getting a high berth under the Resident. On this the Resident informed me that he would call for the past correspondence, and read them. I then told the Resident that as there is some time to wait Govindrow Roria coming, I would go and sit in the office with the native agent, to which the Resident consented. I then went to the office, and found the native agent sitting in the treasury, who on seeing me rose; and near the table of Cavajee Hormusjee, the head accountant, were two chairs, on which we both sat. I then told Soorujram all that the Resident had said about the coming of Govindrow Roria. We remained sitting till 12, but Govindrow did not come Afterwards Bhaskerrow Withul came on a visit to the Resident, but he soon returned. I told Soorujram that Govindrow is not come yet, go and ask the Resident what I was to do. Soorujram then went to the Resident and returned, and told me that Govindrow will not be here to-day, but that he was ordered to write a private note to him, and that we were called by the Resident; from this place we went to the room where the native agent sits, which was being whitewashed and a new ceiling placed, but all the carkoons were sitting in a room adjoining it, and Soorujram got one of them, by name Heerachund, who is employed in sorting the dufter, to write a note to Govindrow, which, after being read to me, was signed by Soorujram. We then went to the Resident, to whom I read the note. The Resident remarked, that all respectable people will not attest their signatures as true extracts. I replied that not all, but a few would do so. The Resident then told me to take the note to Govindrow, which I took, and returned to my lodging, because the carbaree do not attend the Durbar till after four. I therefore made up my mind to go at that hour, and deliver the note to Govindrow. This was then one o'clock. About three o'clock, Heerachund carcoon came mounted to my lodging, on a black pony belonging to Soorujram, accompanied by a peon, and told me that as Soorujram is coming, for me to be ready. On this I and my man Manuklall got ready. I desired Manuklall to take paper, pen and ink, and go and sit near the palace, as he would not be able to keep up with a horse or gharry. Manuklall and sepoy Balloojee then went to the palace. In the meantime native agent Soorujram came to my place in a palanquin, and said that the Resident had sent him, in order to expedite the production of the chopras before me, from which extracts are to be given to me, and desired me to accompany him. On this, I, Soorujram, and Heerachund karkoon went to the karbarry of the Maharaj, by name Bhow Sahib Tambekur, and he received us three in his new house. Soorujram then said to Bhow Sahib that I (Nurbheyram) brother of the late native agent Anoopram, had come on the part of Mr. Andrews to see the chopras, which had been examined at the residency, as also others connected with them, which should be shown to me in the presence of a committee of sowcars, and whatever extracts I make from them the committee should attest by their signatures on them as true extracts; but as it was getting late and it was his (Bhow Tambekur) time to go to the Durbar, Soorujram told him to inform the matter to the Maharaj, and to issue orders to Sumbooram Khoosal karbarry on the above subject. Bhow Sahib then replied, that after informing the Maharaj of it, he would make the necessary arrangement, and desired us all to attend the next day. We then returned to our respective places. On the 29th September, Sunday, about 11 A.M., carcoon Heerachund came and said to me to be ready, as Soorujram Bhaee will soon come. On this, I, Heerachund, and my man Manuklall, at the desire of Heerachund, went to the firm of Hurree Bhugtee, at which time Soorujram did not come there; we three therefore sat down. Heerachund then sent a note to Sumbooram, stating that neither the chopras or sowcars have appeared, and to expedite them. I had no one of my acquaintance there, so I sat Heerachund. Shortly afterwards Soorujram Bhaee came in a palanquin, and also wrote a note to Sumbooram to expedite the chopras and sowcars; but he asked for the note he had given me on Govindrow, which, together with another note he wrote, he sent both to Govindrow. Copy of the first note which I had kept is here produced.

3. Afterwards Soorujram got up from the place where we were sitting, and said there is no breeze here, so let us go in the Dewankhana (hall of audience); we all then went there, where a large cloth "chayama" was spread on the ground, and a big pillow placed on it, and here Soorujram sat; I sat on one side with my man Manuklall, and in front of him sat Heerachund Karkoon; meanwhile Sumbooram with his men came there in a gharry, with the chopras of Purshotum Runchore and Narrain Runchore, and also four chopras of Samul Bhugtee, all of which he brought to the Dewankhana; he also sent for the other chopras of Samul Bhugtee, which were brought by the mooneem and goomasta; a goomasta of Baba Nafra's was there also, whose name I do not know. Soorujram then told me to commence the examination of the chopras; I replied that the members of the committee

have not come, therefore to send for them. Soorujram told Soombhooram to send for the mooneem gomastas; on this, Sumbhooram replied that he would go to the Durbar, from whence he would send a jassood to call them, but desired me in the mean time to commence examining the chopras. Soorujram told me that as he is sitting, for me to go on with the chopras, as it is the Resident's order to show me the chopras in his presence. I then asked Sumbhooram, that as Purshotum Runchore and Narrain Runchore were two brothers, whether they were partners; he replied that the chopras of Purshotum Runchore are distinct, but Narrain Runchore is a partner in the firm of the Guicowar Sirkar, by name Gunnesh Eshwer, and transactions of lacs of rupees are carried on. At the desire of Soorujram, I commenced to examine first, the chopras of Purshotum Runchore for 1902 (A. D. 1840), and 1903 (A. D. 1847). In that of 1902, I found that the accounts for the months of Kartick, Magser, Paush, and Mah, were adjusted every two months. In this manner I examined the accounts for four or six months. From this it became necessary to see whether this was done for the whole twelve months or not; I therefore examined the Rozmel for 1902 (A. D. 1846), and found that the accounts for four or six months. The next were adjusted monthly. In that of 1903 (1847), I find that 21,000 rupees was credited to Vishnoo Narron in page 146; in the same month, 14,000 rupees in two, and 4,000 rupees, total 18,000 rupees was debited to Narrain Runchore, a partner in the firm of Gunneh Eshwer, of the Guicowar. One hundred rupees is in the name of "Sabagwantee Baee Sahib," as paid in ready cash to her, which forms a portion of the 3,100. It is also written that 100 rupees on the part of Hurree Bhaee Bhugteedass, has been taken by Anna Sahib, and paid to Larcoba. There is a debit of 500 rupees in the name of Loonee Nuthooram, without making up his account. I therefore compared these items with the "aura" of Purshotum Runchore for 1903 (1847), and found this difference, that this 500 rupees forms a portion of the *Rs.* 1,606. 12. 9. in the name of Purshotum Womunrow, which amount was paid on 2d Jestsood 13 (June 26), to Ooka Loonee, on account of Nuthooram, without making up his account. From this, it became necessary for me to take extracts from the chopras of Purshotum Runchore of the khata of Narrain Runchore, which contains money transactions to a large amount, in which I find that in Sumvut 1903 (1847), transactions to the amount of *Rs.* 53,260. 3¾. docras took place, and a balance struck as due to Purshotum Runchore, by Narrain Runchore on Asso Vud Amas* of *Rs.* 30,954. 2¾. dokras. In page 149, 2,000 rupees is entered on 2d Jest 5 Vud (July 3); 12,000 rupees on 2 Jest Vud 12 (July 10); and in page 161, 4,000 rupees on Assar Sood 8 (July 20); in all, 18,000 rupees is debited to Narron Runchore, which appears clear and satisfactory to me; to prove which, however, I compared the khata of Purshotum Runchore in the chopra of Narron Runchore, with the chopra of Purshotum Runchore, and that they agreed with each other, and the transactions were carried to a great amount. The balance also agrees. The firm of Narrain Runchore carries on money transactions with that of Gunnesh Eshwer to the extent of lacs of rupees, and balances have also been struck, and the "khatas" fairly settled. From such trusty books of partnerships, I find that as the item of 18,000 rupees has been debited, so has the amount been credited. To prove this khata satisfactorily is, that the 12,000 rupees out of 18,000 rupees entered in the chopra of Hurree Bhugtee, is credited in the chopra of Samul Bhugteedass. In Narron Runchore's chopra in the month of Jest (June) *Rs.* 51,509. 5. 3. is entered as debit and credit. In the same month, money transactions were carried to a great extent. That the 18,000 rupees from this sum which has been credited to Purshotum Runchore, and the same amount which has been debited to persons, has been done accordingly to sowcars' customs. The amount which is debited to Hurree Bhugtee is credited in the chopra of Samul Bhugtee. But I learnt from the goomasta that Hurree Bhugtee and Samul Bhugtee are one, and the money transactions which are made with sowcars in Hurree Bhugtee's name, are entered in Samul Bhugtee's chopra. In Hurree Bhugtee's chopra, the revenues of villages and house expense are entered.

* 8 November.

4. As regards the 500 rupees entered in Purshotum Runchore's chopra, which forms a portion of the *Rs.* 1,602. 12. 9. in the name of Purshotum Womunrow, I examined for my own satisfaction the "khata" of Purshotum Womunrow, which was in the dufter of Purshotum Runchore, and that the sum of *Rs.* 1,606. 12. 9. entered on the name of Purshotum Womunrow has been debited in this khata. In the same khata, transactions to the amount of *Rs.* 51,783. 15. has been made Purshotum Womunrow, and a balance struck on Assoo Vud 30th (November 8), of Sumunt 1903 (1847), for *Rs.* 42,603. 8. 9. as due to Purshotum Womunrow by Purshotum Runchore; that this 500 rupees has been entered in the account according to sowcars' custom, and it appears that the said sum has been received by Purshotum Womunrow; from the above circumstance, no doubt whatever remains regarding this sum.

5. There are two items to be examined, viz., one in the name of Subagwuntee Baee, and the other of Larcoba, which is to be found in the khata of Baee Sahib, from the chopra of Purshotum Runchore from 1900 (A. D. 1844), to 1903 (1847), being a period of four years. In the khatavye, from 1900, transactions of thousands of rupees have taken place. That balances from year to year have been struck up to 1903 (A. D. 1847), and a debit and credit made of the amount. On 2d Jest Vud 11th (July) of 1903 (1847), 100 rupees has been debited, and this is shown on the "chaloo khata (running account); I have looked also into the chopra of Purshotum Runchore for 1902 (1846), and 1903 (1847), and find that the item is entered in "Sobagwunteedass's" name in that of 1903, which agree with that in the khatavye; this sum is entered also in the yad of 21,000 rupees, in the name of "Sobagwunteedass" of the same date, which agrees with that entered in the chaloo khata. On this,

I asked

I asked the native agent Soorujram for the rojmale for 1900 (1844), and 1901 (1845), and khatavye for 1904 (1848), of Purshotum Runchore, who ordered the goomasta of Baba Nafra to comply with my request, but the goomasta said that the chopras in question are under attachment, but where the other chopras are, they did not know, consequently they were not seen.

6. On the 30th September, Heerachund carcoon came to at 10 o'clock, the same hour as he came on the 29th, and I sent my man with him and told him that I would follow them. I went to the firm of Hurree Bhugtee where Soorujram had previously arrived in his palanquin; we all four met together, the goomasta of Hurree Bhugtee and Samul Bhugtee were there also, before whom my man Manuklall Pranbhoy took copies and extracts from the chopras of Narron Runchore and Purshotum Runchore, which were brought by carcoon of Sumbhooram Karbarry of the Guicowar, as follows:—

1. Copy of an item of 500 rupees, debited to Ooka Loonee, which forms a portion of the *Rs.* 1,606. 12. 9. entered as debit in the name of Purshotum Womunrow, in the chopra of Purshotum Runchore.

2. Copies of the "khata," of Purshotum Womunrow, from the "khatavye" (ledger) of Purshotum Runchore, for 1903 (A.D. 1847).

3. Ditto ditto, of Narronrow Runchore, from ditto of ditto, for ditto.

4. Ditto of ditto of "Sobagwantee Baee Sahib," from the "khatavye" (ledger) of Purshotum Runchore, from 1900 (1844) to 1903 (1847).

5. Extract of the "debit and credit" items in the name of "Sobagwuntee Baee Sahib," from the "aura" of Purshotum Runchore, for 1902 (1846) and 1903 (1847).

6. Copy of the "khata" of Purshotum Runchore for 1903 (1847), from the chopra of Narron Runchore.

7. Copy of the "khata" of Hurree Bhugteedass for 1903 (1847), from the chopra of Narron Runchore.

In this way copies were made, at which time native agent Soorujram said to me, he is privately informed that the sowcars and their goomastas have refused to attend the firm of Hurree Bhugtee. He then asked one of the goomastas whether, before or after the death of Shetjee, it was not customary for the sowcars to attend; he replied, that during and after the life-time of his shet it was usual for sowcars and their goomastas to attend; Soorujram then said, it appears that they will not come as a "committee." Shortly afterwards a Decconee, with long legs, and with one eye injured, came and took Soorujram afar, and spoke something to him. Afterwards this man and Soorujram came and sat in the cutcherry, and the latter said that the Resident had sent word with Govindrow that we two should go to the Durbar, on which I was desired to accompany him. It was then past five, and I, Soorujram, native agent, carkoon Heerachund, my man Manuklall, we four persons went to the Durbar, where Bhow Sahib Tambeykur, Govindrow Roria, Shumbhooram Khoosallbhaee, and many others, were sitting. We all four sat in the cutcherry also; afterwards all the people went away except Bhow Tambekur and Govindrow; they got Soorujram Bhaee to sit between them, and spoke something privately in his ear. Soorujram afterwards told me, that as copies have not been made, the sowcars would be sent for the following day to form a committee. We did not pay our respects to the Mahraj, and it was late, we each returned to our places. The copies which I had made this day were put under cover, on which I placed my mark, and Soorujram took it with him.

7. On the 1st October 1850, Tuesday, Heerachund, carkoon, came to me about nine or ten o'clock, and said that Soorujram has taken leave from the Resident to dine at Dodabhoy Runchore's on account of the Shurod, but that he would meet me before he went there; that no business would be done to day, and that he was going to the office. I waited for Soorujram till three o'clock, and about half an hour afterwards he came and took a seat on a chair; he then told me all about his having gone to dinner. But that he would go with me on the 2d instant; after this he went to the city.

8. On the 2d October 1850, at 10 o'clock, carkoon Heerachund came to me and said that Soorujram Bhaee is coming, and for me to be ready. Soorujram then came over and sat down, and he sent for Sumbhooram Khoosal and told him, that as we were going to Hurree Bhugtee's shop, to send one of his karkoons with the dufter, and to issue orders that the chopras of Samul Bhugtee and Hurree Bhugtee may be shown to me. On this Sumbhooram gave his carkoon the key of the room in which the chopras were locked up, and desired him to accompany me to the shop of Hurree Bhugtee and show me the chopras, after this Sumbooram and his carkoon went away. Afterwards I, Soorujram, carkoon Heerachund, and my carkoon Manuklall, we four persons went to the shop of Hurree Bhugtee, and according to custom sat in the "Dewan Khana" (hall of audience), when the goomashtas of the shop, one by one, were going out of the cutcherry, at which time Soorujram told them to show the "khurda" of Hurree Bhugtee and Samul Bhugtee for 1903 (1847), and also the khatavye of Samul Bhugtee for that year, when one of them called out to another by his name, and said that the "chopras are not in our charge," but in that of Damodhur, who has got the key, and that he has not come in consequence of there being a Sherud at his place, but that he would be sent for; such plea being offered, Soorujram then said that it is customary with him to sleep after taking his meal at eight o'clock in the morning, so he sent for his palkee, bedding, and went to sleep, and had his body shampooed by his man, and got a servant

of the goomashtas of Hurree Bhugtee to fan him with a large punka, on which he fell asleep. Heerachund karkoon then commenced to take copies of the extracts taken by me from the dufters of Narrain Runchore and Pershotum Runchore, which lasted four in the evening, but Soorujram was asleep all this while; neither the goomashtas came, nor Sumbooram, or his carkoon came with the chopras. After four o'clock Soorujram woke and asked me if I had seen the chopras. I replied that the chopras were not brought; on this he gave orders to bring them; in the mean time Sumbooram came, to whom I told the above circumstance; on this the chopras of Hurree Bhugtee and Samul Bhugtee were sent for and examined by me, and I took a copy of the balance struck at the Deewalee in the "khata" of Narronrow Runchore, from the chopra of Samul Bhugtee, as also the total of the debit and credit sides, and the disputed amount in Samul Bhugtee's chopra. I also examined the chopras of Hurree Bhugtee and Samul Bhugtee regarding the entry of 100 rupees in the khata of Purshotum Runchore, but cannot find this sum has either been debited or credited. I therefore did not take extracts from them. On the 30th September 1850 I asked Soorujram for the chopra of Narronrow Runchore, as a portion of the khata of Samul Bhugtee had remained uncopied; he replied, that as this chopra was with the Guicowar Sirkar, I should take extract from there. I then took all the extracts I had made, and went in the evening to the Durbar, in company with Soorujram, Heerachund, and Manuklall, in all four persons; as we were leaving the shop to go to the Durbar, I asked Soorujram whether any inquiries had been made from Baba Nafra; he replied in the negative: but when I saw the Resident on the 28th September, that gentleman told me that Baba Nafra will not speak the truth, and until he does so the charge cannot be proved, but that his suspicion will not be removed; bearing this in mind, I, Soorujram, Heerachund, Manuklall went in the evening to the Durbar, where we saw Bhow Sahib Tambeykur, Govindrow Roria, Trimbuck Shastree Bappoo Myral, &c., and many others sitting; went and sat also; Soorujram, native agent, told Bhow Sahib that as one or two items from the chopra of Narronrow Runchore have remained uncopied, to order Sumbooram to bring the chopra; on this Sumbooram was called, and I, Heerachund, and Manuklall were sent to a room, where we took an extract of the khata of Samul Bhugtee, from the chopra of Narronrow Runchore; afterwards I told Sumbooram and Heerachund to inform Soorujram that I had taken an extract, and to call the people of the committee to examine them, and afterwards to sign as true extracts; on this Sumbooram went to Bhow Tambeykur, and returned and said that the shroffs had been sent for, and that when the cutcherry had assembled I would be sent for; I remained till candle-light with Sumbooram. After the Mahraj had come out of his palace and appeared on a terrace, Sumbooram came to me and said, that the Maharaj wanted me; on this I, Heerachund and Manuklall went, at which time Bhow Sahib Tambeykur, Govindrow Roria, Soorujram, native agent, and Sumbooram were sitting; we all made our salaams and sat down; afterwards Bhunasunker Gungadhur Shastree, &c., came there, and after paying their respects went away; then Gopallrow Myral, and the son of Lalloobhaee Muguldass, and five or six other sowcars, came there, but I do not know them. Bhow Sahib Tambeykur told the sowcars, in the presence of the Maharaj, that extracts from the dufter of Hurree Bhugtee, Samul Bhugtee, and others, had been made, therefore to attest them with their signatures, after comparing them, as directed by the Maharaj. On this they replied, that the mooneem goomasta of Hurree Bhugtee and Samul Bhugtee should sign them, but they refused to do so. Bhow Tambykur then told me that he has no power to force the sowcars. Afterwards the sowcars went away. Bhow Sahib Tambykur then asked me whether I would wish to see Baba Nafra. I said no, considering that Soorujram had said he made no inquiries from Baba Nafra, and the Resident had said that, if asked, he would not speak the truth, as above stated. After this I, Heerachund and Manuklall returned to my place, the extracts being left with Soorujram, native agent. The next day, 3d October 1850, Thursday, as I was about to go to the Resident at 10 o'clock, I saw Soorujram, native agent, going to the city in his gharry; I sent my peon to him to ask if he would take me; he replied, that as he had some business, for me to go to the residency. As from first to last the committee did not sit nor sign the extracts, and lest some new obstacle might be raised, I sent my man after the Soorujram's gharry, and having learnt that he was sitting near Bhow Sahib Tambeykur, as also the goomashtas of Hurree Bhugtee and Sumbooram, I prepared to start to the residency, when I was further informed that the Soorujram was at the shop of Hurree Bhugtee, where he was in deep consultation, and that the goomashtas had been sent for; I then went to the Resident and saw him in the same room I had first seen him; that gentleman said that all the extracts are ready, but the sowcars refused to attest them with their signatures; but as the native agent had assured him that they were correct he would sign them, and I had no alternative but to get them done. The Resident then asked me what extracts I had made; I replied, that I had taken extracts from the chopras, which related to the debit and credit of the yad of 21,000 rupees, and that those which Heerachund had copied were given to me, and those which my man, Manuklall, had made were kept in the residency. Meanwhile Soorujram appears before the Resident, and I requested the Resident to give me a Jewab, when that gentleman said, that when a yad from the Durbar is received he would send a copy of it, which must be considered as a Jewab, but ordered me to return. We both left the Resident and came out, and on the left-hand side there is a Europe tree, where Soorujram told me that Bhow Tambeykur suspected that, through the advice of the karbarry of the late Maharaj Gunnesh Punt, I was about to bring a charge against him, and he therefore desired not to get the extracts signed. That he (Soorujram) went to the Maharaj for a yad, but that he has cleared the

doubt

doubt which was entertained by Tambeykur. I replied, that I have nothing to do with Gunnesh Punt. After saying so, I and Soorujram, came to the office, and from thence he took me to his house, and said he is not concerned in this business, and therefore not to suspect him in it;* I then returned to my place, and left Baroda on the 4th October 1850, Friday, and arrived at Surat on the 7th instant, Monday, and produced the extracts I had brought with me, and reported all the circumstances that took place which I have here detailed.

I had heard in Baroda that in taking these extracts everything had become known, therefore they are concocting matters to bring blame on the Sahib and myself, but as this has nothing to do with the present case, I do not deem it necessary just now to enter into any particulars. But should it take place, I shall then represent all that I have to say on the matter.

(signed) *Nurbheyram Kissundass.*

(True translation.)
(signed) M. Battye, Assistant Resident.

Appendix, No. 11.

TRANSLATE of the Deposition of Itcharam Bunnarsee; religion, Hindoo; caste, Lewa Kunbee; occupation, Goomasta to Hurreebucktee; age, about 45 years; inhabitant of Baroda; taken on oath before the Resident at Baroda, on the 7th day of October 1850.

Question. AT your master's shop, for the purpose of inspecting the chopras, the native agent Soorujram, accompanied with the sheristedar Nurbheyram, who had come from Surat, called; and this sheristedar Nurbheyram having, on the 12th Vud Bhadurwa (2 October), threatened yourself and others, the (moonim) chief goomasta has made known; thereupon you are asked to state what threats were used by Nurberam, and what remarks made: you should state the truth? — *Answer.* About Bhadurwavud 9th (30 September), the native agent Soorujram, and they who had come from Surat, Nurbheyram and Manicklall, &c., called at my master's shop, at which time I was at my own house; and upon being sent for, I went to the shop, at which time, on the part of his Highness the Guicowar, Sumbooram also came, and told myself and the chief goomasta present that if Soorujram should wish to see any of the chopras belonging to the firm, they should be submitted for his inspection: thus Sumbooram having said, he left. After which Soorujrambhaee and Nurbheyrambhaee called for the chopras of our shop, which were at once submitted to them. In the meantime, from the Government wadda Pursotum Runchore and Narrayen Runchore's chopras arrived; these chopras Nurbheyram and Manicklall inspected, they also examined ours. Thus being engaged in examining the chopras all day, when it became evening they went away, and called again on Bhadurwa Vud 10th (1 October); and having called for our chopras, they were submitted for their inspection, as also the chopras which had arrived from the Government wadda they inspected, and from which they made extracts; and when it became evening they again went away. In the above two days nothing was said or remarked, and on the 11th Vud they did not come to the shop at all; but on Bhadurwa Vud 12 (2 October), again Soorujrambhaee and Nurbheyrambhaee, &c. called, and after them the chief goomasta Peetamberbhaee, also came; when Nurbheyram desired myself and others to fetch the chopras belonging to Hurreebucktee and Samul Bucktie's firm for Sumvut 1903 (1846-47); upon which the books of Hurreebucktie, though under my charge, yet my son at the time having the keys in his possession, he was sent for; and the chief goomasta Damodur, of Samul Bucktie's shop, having certain funeral ceremonies going on at his house, was incapacitated from attending, he too was sent for: thus was it. After which, from Hurreebucktie's shop, and in consequence of Damodhur's not coming, the keys of Samul Bucktie's shop were sent for, and the chopras from both shops procured and submitted for Nurbheyram's inspection, and which both Nurbheyram and Manicklall commenced examining; after which Nurbheyram, unsolicited, and without any reason for his doing, remarked to myself and others, that "You are now very tardy in showing the chopras, but these books, and the parties who had made the extracts from these books, these parties I shall once cause to see Bombay and Surat, when it will become known, and you may consider yourselves the Maharaj's subjects; but when the Maharaj was on his way to Bombay and had arrived at Broach, the Collector of Broach's assistant, Rogers Sahib, was at breakfast, and was informed by the people that the Maharaj had arrived, when Mr. Rogers remarked, 'What care I about the Maharaj, and who is the Maharaj?' Thus did Mr. Rogers remark, and he prevented not only his own establishment, but also parties who came upon their business to him, from going to see the Maharaj. Therefore this is the Maharaj estimated by the Sahib Logue and the sowcars, who had at the Maharaj's given their signatures; these sowcars also I shall cause once to see Surat and Bombay, then they also will find out the fruits of giving their signatures." Thus did he remark; and after examining the chopras, they left.

The

---

* *Note by Lieutenant-colonel Outram.*—It will be seen from the deposition of the Parsee Burgajee Nesrunwanjee, appended to Soorujram's statement (who also denies it), that no such conversation took place.—Signed, *J. O.*

The reason why Nurbheyram was induced to speak as above, does not appear from what you have stated; therefore, for which reason he made these remarks you should explain?—According to the above, whilst engaged in examining the chopras, he spontaneously spoke, but what were his reasons for thus expressing himself, I am unaware of.

Who were the parties present when Nurbheyram made the above remarks, name them?—I myself, Moonim Goomasta Peetamberdass Sewlall, Sha Lulloo Bhugwandass, Sha Bhyjee Ghella, Sha Bhugwan Buwanneedass, Sha Hurreelall Dajee, Shet Kalladass Surrovur, Sha Jumnadass Lulloobhaee, Sha Hurreelall Bhye Chund, and Kunhee Govurdundass Itcharam, according to the above, are the names of the parties I recollect; but there were on the occasion some 10 or 20 persons present, of whose name I do not rightly recollect, but as many names as I recollect I have given in.

(signed) *Itcharam Bunnaruseedass.*

TRANSLATE of the Deposition of Peetamberdass Sewlall; persuasion, Hindoo; caste, Veesalad Banian; calling, chief Goomasta in the shop of Hurreebucktee; age, about 31 years; inhabitant of Baroda; taken upon oath before Colonel J. Outram, Resident at Baroda, on the 8th day of October 1850.

Question. The residency native agent, Soorujram, taking with him the sheristedar who had come from Surat, Nurbaram, came to the shop of your master for the purpose of inspecting the chopras, and Nurbaram, on the Bhadurwa Vud 12th (2 October), having threatened you and others, which circumstance you come and personally made known at the residency; therefore you are asked to state the nature of threats made use of by Nurbaram towards yourself and others, and what conversation transpired: the truth you are called upon to state?—*Answer.* On Bhadurwa Vud 9th and Vud 10th (September 30 and October 1,) the native agent Soorujram, accompanied with Nurbaram, called at my master's shop with the above parties, on the part of his Highness the Guicowar. Sumbooram also came, who told me, that should Soorujram call for the books of the firm, they should be submitted for his inspection; and upon it being told me as above, I brought Hurreebucktee's and Shamulbucktee's chopras for the inspection of Soorujmul, who had desired to see these chopras; these books were inspected also by Nurbarambhaee, who had come from Surat, and Manucklall, who was with him: thus did the business progress. On the 11th no one came; but on the 12th, native agent, accompanied with Nurbaram and others, again called at my master's shop. After they arrived, I also went, when Nurbaram asked for the chopras of the shop of Samulbucktie, the chief goomasta of which shop, Damodur, having some funeral ceremonies going on at his, was unable to attend; he, however, was sent for, but in consequence of his not being able to come, the keys were sent for, the shop opened, and the chopras were brought and submitted for inspection; at which time Nurbaram spontaneously and by the dictates of his own mind, commenced remarking to myself and others, "You are now slow in showing the chopras, but the parties who had made the extracts from these chopras, as also the sowcars who had before his Highness the Guicwar given in their signatures, the whole of these parties will be shown Bombay and Surat, where also these books will be sent for; then it will be known to them; and further, you consider yourself the Maharaja's subjects; but the Maharaj himself, on his way to Bombay, when he arrived at Broach, the Collector of Broach's assistant, Mr. Rogers, was there, and seated at breakfast, when the people informed him that the Maharaj had arrived; then Mr. Rogers replied, 'What care I about the Maharaj? and who is the Maharaj?' Thus did Mr. Rogers express himself; and his own establishment, as well as parties attending for the purpose transacting business with him, he prevented from going to see the Maharaj; therefore, according to the above is the estimate in which the Maharaj is held amongst the (European) gentlemen." Having expressed himself as above, my goomastas, &c. became frightened, and said that which was the truth. I made known to the Sirkar therefore for what reason should we go to Bombay and Surat; and as for the sowcars who have put their signature, they did so after having inspected the chopras, therefore what fault did they commit that they should be compelled to go to Bombay and Surat; thus did they reply, when he (Nurbaram) answered, "When you are all sent for, then will you know;" therefore the whole of the goomastas became frightened, because this person being a Government employé had said so; and besides, this person being constantly near the Sahib, and having the opportunity of representing to the Sahib whatever he took it in his head to do, they were afraid of, without any reason, being ruined; therefore some measures should be adopted by the Government to obviate this evil.

According to the above, when Nurbaram remarked to you, who were all present?—Myself, Lulloo Bhugwan, Itcharam Bunarsee, Bugwan Buwannee, Bhyjee Ghella, Goverdun, Itcharam, Kalleedass Surover, Hurrelall Bhaeejee, Bhal Mookundass, Hurreelall Bhychund, Jumnadass Lulloo, and other parties were also present seated, who I do not at present recollect, but in all there were about 10 or 20 persons present seated.

(signed) *Petamber Sewlalldass.*

In his own handwriting.

Appendix, No. 12 A.

TRANSLATION of the Report of Soorujram Gungaram, native Agent of the Baroda Residency, to the Resident; dated 16 October 1850.

ON the 14th October 1850 the Resident informed me that copy of a report of Nurbheyram, sheristedar of Mr. Andrews, at Surat, has been received, and that, after perusing it, to submit my report of what had taken place on the subject thereof. I beg leave to represent, that as usual I attended the cutcherry on the 28th September 1850, at 9 o'clock, but as the room was being whitewashed, and where a new ceiling had been put, I went and sat in the room where the dufters are being sorted, and from thence I went to the head accountant Cavasjee's room, where I saw Nurbheyram sitting, but I was not acquainted with him before. Cavasjee then introduced me to him as the sheristedar of Mr. Andrews at Surat, by name Nurbheyram, who was brother to the late native agent Anoopram. Nurbheyram told me that the Resident had desired him to go to me until such time as Govindrow Roria comes to the residency, with whom he had some business. I said, very good. He then asked at what hour that person attends; I replied at about 11 o'clock; in the meantime the Resident had sent for me, and said that Mr. Andrews has sent his sheristedar to see the chopras regarding the yadee of 21,000 rupees, and it is written in the letter, to have a committee of respectable persons before whom the chopras are to be shown to him. That as soon as Govindrow comes, to bring Nurbheyram with me for the purpose of telling Govindrow to show such chopras as Nurbheyram may wish to see belonging to Hurry Bhugtee and others, in the presence of a committee of respectable persons as requested by Mr. Andrews, if Govindrow does not come, to write a private note to him to this effect, and to bring Nurbheyram with me to you. After this, I returned and sat near Nurbheyram, and told him that the Resident had informed me of his having come here to see the chopras. He replied, yes, that he came for that purpose. After 11 o'clock, Nurbheyram reminded me that Govindrow had not come. I then told him that the Resident had ordered me to write a note on Govindrow which was to be given to him, so I told him to come along, and I shall write a note and afterwards go to the Resident. As we were going into the adjoining room where the carcoons were sitting, Nurbheyram said, let us sit outside, and as there was a carpet in the place where white-washing was going on, we sat upon it, and sent for Heerachund carcoon from the room, with pen, ink, and paper, who according to Nurbheyram's dictation wrote to the following effect in my name: "Whatever chopras Nurbheyrambhaee may wish to see belonging to Hurree Bhugtee, &c., the same must be shown to him in the presence of a committee of respectable and influential persons, who should be requested to attach their signature to any extracts he may make from them," which note I signed, and took to the Resident along with Nurbheyram, who read the note to the Resident. The Resident then asked Nurbheyram, whether the note was written according to his wish; he replied, yes. The note was then made over to Nurbheyram, and he was desired to take it to Govindrow. We two then came out; it was then about 12 o'clock. Nurbheyram told me, that as Mr. Andrews is acquainted with Mr. Battye, he would go and make his salam to that gentleman, so he went to Mr. Battye. After this he went to Mr. Hykoop's room, to see some of his Broach friends who write there. From this he went to the Rewa Caunta Office, where he asked Nurbheyram Khooshallbhaee in what year and in what month a Report was made to Government about Anoopram, but Nurbheyram Khooshallbhaee was in a hurry to go to Major Brown; he went and returned, and then gave the dates by guess. On this Hurreevullub, writer, and Nurbheyram were searching for the letters. About 2 o'clock, as Nurbheyram was going to his place, he came to me and said he had not taken his meal. I then asked him where he had put up; he replied in Dhackjee's warra." He then went away, when the Resident sent for me and told me, that though a private note was given to Nurbheyram, he is not acquainted with the Guicowar people, and Mr. Andrews has requested to afford him aid; so I was directed to take carcoon Heerachund, who is conversant with chopra matters, with me, and go and introduce Nurbheyram to the Maharaj and Bhow Sahib and to sit with him, and to send for whatever chopras he may wish to see, and to afford such aid as may cause no difficulty. On this I returned to the cutcherry, and told carcoon Heerachund to mount my horse and go to Dhakjee's warra, where Nurbheyram had put up, and tell him to take his meal and be ready, as I would shortly come. Afterwards I went there, about four o'clock, where I found Nurbheyram ready. I asked him whether he had delivered my note to Govindrow, he replied no. I then sat down and sent a sowar to ascertain if Bhow Tambeykur was in the house or gone to the Durbar; the sowar returned and said that Bhow Sahib is at home; so I, Nurbheyram, and carcoon Heerachund, went to Bhow Tambeykur, when the latter got up to receive Nurbheyram, and remarked, that as his features resembled those of Anooprambhaee, was he a brother to the other; he replied yes. I told Bhow Sahib that Nurbheyrambhaee was sent by Mr. Andrews at Surat, to see the chopras of Hurree Bhugtee and others, and that a note was written by me to Govindrow on this subject by order of the Resident, and delivered to Nurbheyram; but in order that no delay should take place, I was directed to introduce him to Bhow Sahib and the Mahraj for aid. While conversing it struck five. Nurbheyram then said it is gone five, and that he is tired, having come in the rains, and having to attend the Durbar at night; how will it be? Bhow Sahib then said, agreeably to his wish, he would make arrangements that he would send Shumbhooram with such chopras, &c., as he may require the next day, to his place. He then said that if such orders were at the moment given, it would be very good, and that he would come the next day, after taking his meal. Bhow Sahib replied, that the Durbar does not

meet till very late, and as he intends to come early, he (Bhow Sahib) would make arrangement for sitting at Hurry Bhugtee's firm. On this Nurbheyram returned many thanks to Bhow Sahib, and as he was about rising, Bhow Sahib sent for beetel leaves, and after giving pan, &c., to Nurbeyram, according to the custom of his country, they all left the place. Nurbheyram went to his, and I came to the Resident and informed the Resident all that took place. I then returned to my house about seven o'clock. The second day, 29 September 1850, about 10 o'clock, I told Heerachund to go and take Nurhbeyrambhaee to Hurree Bhugtee's shop and commence an examination of the chopras, and that I would soon come. I went about half-past 11 to Nurbheyram's place, and on inquiry I learnt that he had gone with Heerachund. I then went to Hurree Bhugtee's shop, where I found Heerachund, Nurbheyram, his man Manuklall and the goomastas of Hurree Bhugtee's shop sitting. I went and sat there also. Nurbheyrambhaee then told me that Heerachund had written a note to Shumbhooram to send the chopras, but they had not come. I then sent a note also to expedite them. Afterwards I took the note before written to Govindrow from Nurbheyrambhaee, and sent it to him along with another note, desiring him to make the arrangement. The goomasta of the shop then said, "This is a very close place, so let us go upstairs, where there is plenty of room in that cutcherry." On this we all removed upstairs, and as some delay took place in laying down the carpet, we all remained standing, when a cloth, "goreea," was spread down and a large pillow placed on it; I sat on one side and Nurbheyram on the other, and close to him sat Manuklall; Heerachund sat near me; the goomastas of Hurree Bhugtee also sat. Shortly afterwards Sumbooram came in his gharry, with his carcoon and sepoys, and brought the chopras; and said that agreeably to Heerachund's note he had brought all the chopras that were there belonging to Purshotum Runchore, Narran Runchore, Hurree Bhugtee, and Samul Bhugtee; that the goomastas of Hurree Bhugtee and Samul Bhugtee having been directed to produce their remaining chopras, they were accordingly brought; and Sumbooram told Nurbeyram that Govindrow had sent him word to assemble respectable and influential persons before him, and that it was also the order of the Maharaj that he will get those persons to sit here. On this Nurbeyram said that he did not require respectable and influential persons, because he (Sumbooram) had come on the part of the Mahraj, and I (Soorujram) on that of the Resident; therefore he will take such copies as he may require from the chopras; and that afterwards, if necessary, he will get the attestations of one or two sowcars made to the copies before the Mahraj. Sumbooram then said, "as you please;" so saying he sent a jassid to the sowcars who had before been desired to attend, telling them not to come. Nurbheyram then asked Sumbooram, "Who are Narranrow Runchore and Purshotum Runchore?" He replied, that the latter is the name of the private firm of Baba, in that of the former the Mahraj has a share. Sumbooram, after placing his carcoon, duffedar, and sepoys over the chopras, took his leave and went to his house. Nurbheyram and his man Manucklall went through all the chopras, and examined them twice and thrice, and took notes in English regarding them. This work occupied him till near six, when he desired the chopras to be closed, which was accordingly done. I told him to put under cover what he had written in English, and give it to me with his mark (seal or signature) thereon, or to allow me to put my mark, and for him to keep the packet. He replied that he has no occasion for it, and thus tore up the paper. We then left the place. Nurbheyram and Manucklall went to their house, and I went to the Resident (this was about seven o'clock), and informed him of all that had occurred. That Nurbherambhaee had examined the chopras from the year St. 1900 to 1904 (A.D. 1844 to 1848). That besides what related to the item of 21,000 rupees, he had examined many other suspicious-looking items. On this the Resident said, let him see all that he wishes to see, and do not throw any obstacle in his way. After this I returned to my house. The third day, 30 September 1850, at 10 o'clock, I desired carcoon Heerachund to go and take Nurbheyrambhaee to Hurree Bhugtee's shop, and commence the examination of the chopras, and that I would follow him. I went to Nurbheyrambhaee and learnt from his sepoy that he had gone. I went on to Hurree Bhugtee's shop, where I met Nurbheyram on the road coming from some place. I asked him if he had not gone to Hurree Bhugtee's shop? Replied that Manucklall and Heeralall are gone, and desired me to go, and that he would follow me. Shortly afterwards Nurbheyrambhaee came there. In the meantime Sumbooram's carcoon, duffedar, and sepoys came there with the chopras; those in Hurree Bhugtee's shop were also produced. Nurbheyrambhaee, as he examined them, gave them to Manucklall to make copies of the "khotas." In the meantime Sumbooram came and asked Nurbheyram whether all the chopras had come? he replied in the affirmative, and that copies only remain to be made from them, which are in progress. Sumbooram, after placing his carkoon and sepoys, went to his house; it was then about 12 o'clock. About four o'clock Damodhur Punt Gorquesta came to me and said that Govindrow Roria had been to the residency, and the Resident had told him to get the papers for me, and Nurbheyram signed to-day; and that Govindrow, Bhow Sahib, and others are gone to the Durbar, where the sowcars have been sent for, and desired me to bring Nurbheyrambhaee with me to the Durbar. I told the man to go and say that we are coming. I mentioned all this to Nurbheyrambhaee, who said that as the Resident has ordered us to be there, we cannot do without going; so saying, he commenced to examine another chopra, which he went through. It was then near five o'clock when the chopras were closed; Nurbheyram then said, come let us go to the Durbar. I replied, that the copies which he made this day should be put under cover and given to me, with his mark thereon. On this he began to consider; however, after closing the packet, he delivered it to me, with his mark thereon. After this we all went to the Durbar, and sat in the room where Bhow Sahib and Govindrow Roria usually sit. Bhow Sahib then said, all the sowcars are come, and asked Nurbheyam what

are

are his wishes? He replied, that he had still got to make further extracts; when Bhow Sahib said, that after he had finished, to let him know, as he is ready to do as the Resident has bid him. As Nurbheyram was about rising, Bhow Sahib asked him whether he would wish to see the Mahraj? He replied, no; that as he had seen them all, it is enough. Nurbheyram and Manucklall then went to their quarters. I came to the Resident, and Heerachund went to his house, and after informing the Resident of all that had passed, delivered the packet to the Sahib, and I returned to my house after eight o'clock. On the fourth day, the 1st October 1850, at ten o'clock, I desired carkoon Heerachund to go to Nurbheyram, and accompany him to Hurree Bhugtee's place, and commenced the examination of the chopras, as I had taken a few hours' leave from the Resident to go to dine at Runchorebhaee Dadabhaee in the city, but that I would come there also. As I was going to the city I met Heerachund on the road, and asked him why he had come back; he replied, that after keeping him waiting so long, Nurbheyram said, that as he does not feel well, for him to go back, and not to trouble him; that when I came to him he would tell me of it. Heerachund then went to the cutcherry, and as I was going to the city, I saw Nurbheyram standing at his window, so I went in, and asked him why he sent Heerachund away, for had he gone, the work would have been finished. He replied, that he is lazy to-day, and it is good that I came late. After this, I went to the city to dine. On the fifth day, the 2d October 1850, at nine o'clock, as usual, I sent carkoon Heerachund to Nurbeyram, and I came to the Resident, at which time the Sahib got up from his breakfast and came to me. I told the Sahib that the work would be finished to-day if commenced upon, in which case I would go to the Durbar, and that I had sent Heerachund to expedite Nurbheyram; and after taking back the packet which I had given the Resident, on the 30th September I went to Dhakjee's wara, where Nurbheyram had put up; and as Sumbooram's house was near, I sent word to know if he was at home. The answer I got was, that he had gone to Bhow Sahib. On this I sent sowar Meerza, who was with me, to call Sumbooram quickly, and I went upstairs to Nurbheyram, who asked me to take a drink of water, and said, "My friend, why are you in such a hurry, sooner or later the business will be done; that I made myself very little; that I have seen your Colonel. That formerly the Resident, Mr. Sutherland, under whom my brother Amopram was native agent, thought very little of the Mahraj, and as for the karbarees, they were thought nothing, and they would not dare to speak before the native agent at that time. Mr. Sutherland and Amoprambhee never cared in the least for the Mahraj or his carbarees. That Mr. Sutherland had employed a person on 22 rupees per month, who knows the business of a carpenter and blacksmith, in order that whenever he went to the Mahraj, the man followed his carriage, and in case his carriage should break on the road, he would not be under the obligation of troubling the Mahraj for a blacksmith or carpenter; such independence he maintained." "That now you go from house to house, and that your master goes out with the Mahraj for a drive, and when he has occasion to go to the city, he sends for the Mahraj's carriage. That the time is now altered; and a native agent like you, and a Resident like Outram Sahib, a military man, what can he know anything in matters of justice; all he knows is about fighting." After saying so, Sumbooram came from Bhow Sahib; Nurbheyram in joke observed to Shumbooram that I was in a great hurry to-day, and that he (Sumbooram) would soon get all the work finished. Sumbooram then sent for his carcoon, duffedar, and sepoys from the chubootra, and on giving the keys, said that, putting all business aside, they should go to the Durbar and take the books of Narran Runchore and Purshotum Runchore from the room, and carry them quickly to the house of Hurree Bhugtee, and that after his meal he would follow them. After despatching these people, he went to his house; it was then about twelve o'clock. I, Nurbheyram, carkoons Heerachund and Manucklall, then went to the house of Hurry Bhugtee, where there was great confusion, owing to the goomastas, &c., taking their meal on account of the Shraad. We went and sat in the usual place; Lulloo and other goomastas, about 10 or 12 in number, were sent for, and they came and sat also. Nurbheyrambhaee said, "Bring the chopras of Hurree Bhugtee and Samul Bhugtee;" Echaram replied, that as the books of Hurree Bhugtee are ready, so let the examination of these be commenced. That there is a shraad at the goomasta of Samul Bhugtees, by name Damodur, who is not come, and he has got the keys, but he will be sent for; Nurbheyram got angry, and said that "excuses are made, and thus delaying to bring the chopras. That as many of the vagabond goomastas who have dishonestly copied the items from the chopras, they, together with the books of their shop, shall see Surat and Bombay. That those sowcars who had attested their signatures at the Durbar on the copies made from the chopras, and furnished replies to questions put to them, shall also see Surat and Bombay;" this and many other things he said against the Mahraj, but I do not think it necessary to mention them. Afterwards, as he commenced to examine the chopras of Hurree Bhugtee's, Echaram said that there is no "khata" whatever of Purshotum Runchore and Narrain Runchore in the chopra, nor is there any debit or credit items. In these chopras there are mere entries of house expenses. That whatever date, page, &c., he may mention, he would show them to him; but if anything is found in them relating to the item of 100 rupees, to consider him as an offender of the Sirkar. Nurbheyram replied, that in the chopra of Purshotum Runchore, 100 rupees is debited to the name of Hurree Bhugtee on 2d Jest, which amount has been credited and debited in Assar month; this he heard at Surat, and at same time pointed it out in the yad he had by him, and asked to see for two months; viz., Jest and Assar, which he saw, but could find nothing about the 100 rupees; he went through the whole of the chopra, as also the "khatavye" (ledger), but could find nothing. Sumbooram then came, and said that he had sent his karkoon to the Durbar to bring the chopras, but a dispute had taken place

with the person in charge of the room, which is the reason of the chopra not having been brought yet. That his business here (at Hurry Bhugtee's) is all finished; on this Nurbheyram said, he has yet to examine the chopras of Samul Bhugtee, after which he will be at the Durbar. That whatever he has yet got to copy, he will do it there, therefore not to send those chopras here, and desired Sumbooram to go. In the meantime, Echaram having sent for the keys of the shop, opened the rooms, and brought the chopras of Samul Bhugtee's. Nurbheyram then commenced to examine the chopras, which occupied him till after four. Carkoon Heerachund made copies of all those which Nurbheyram had made, and within five o'clock, I, Nurbheyram, Heerachund and Manucklall then went to the Durbar, where in one of the rooms sat Bhow Sahib, Govindrow Roria, Trimbuck Shastree, Mahdoolall, Bappoo Shastree, &c., in all 10 or 12 persons were sitting, and the whole of them received him. Bhow Sahib then sent for Sumbooram, and asked him to see whether Gopalrow Myral and other sowcars and their mooneem gomastas have come; on this a jassood was sent to see. Nurbheyram then said he has yet got to make extracts from the chopras of Narran Runchore, after which, he sent for the sowcars; Bhow Sahib then told Sumbooram to take Nurbheyram into his room, and let him take what extracts he likes from Narron Runchore's chopras; on this, Sumbooram took Nurbheyram, Heerachund, and Manucklall to his room, and gave them the chopras to be copied. It was then near six o'clock; I sat where all the officers of the court sat; about half an hour afterwards Sumbooram came, and said that Nurbheyram had taken copies of what he required from the chopras; on this Bhow Sahib desired him to ascertain if the Mahraj had come on the terrace; one of the jassood present said that the Mahraj would soon make his appearance; Bhow Sahib and Govindrow Roria then got up, and said, let us go on the terrace; on this, we all three went, where the Mahraj instantly came. Bhow Sahib then acquainted the Mahraj with everything, and said that the sheristedar of Mr. Andrews at Surat, by name Nurbheyram, had arrived, who is brother to the former native agent Anoopram. He is come to examine the chopras of Hurree Bhugtee, &c., and has taken extracts from them, and wishes the sowcars to attach their signatures to them after comparing them with the chopras, for which purpose the Resident had directed Soorujram to write a note to Govindrow Roria, and that Soorujram was also sent in order that these attestations may be made in the Mahraj's presence. The Mahraj was before informed of it. The Mahraj on this directed Bhow Sahib to call Nurbheyrambhaee before him; Sumbooram brought Nurbheyram and the carkoons on the terrace, and after having paid his respects to the Mahraj, they sat down; Bheemashunker Shastree also paid his respects to the Mahraj and went away. I then said that Nurbheyrambhaee had taken copies from the chopras of Samul Bhugtee's firm and others, and wishes to have them attested by sowcars; after comparing them with the chopras, Bhow Sahib, by order of the Mahraj, sent a jassood for Gopalrow Myral, and his carkoon Hurree Bhaee Gokley, Paruck Moteelall Samuldass, and his mooneem Babajee. Paruck Choonelall Lulloobhaee, and his carkoon Succaram Aotabutker, who all came on the terrace, and after their respects to the Mahraj, sat down. Bhow Sahib, by order of the Mahraj, asked Nurbheyram whether he had any more chopras, &c. to examine; he replied that he had taken copies of all that he had examined, and that nothing more remained to be done. Bhow Sahib then, by order of the Mahraj, asked the sowcars to attach their signatures to the copies of the khatas taken from the chopras of Samul Bhugtee, &c., after comparing them. On this the sowcars replied, that if copies are made from the chopras of Samul Bhugtee, &c., the mooneem should attach their signatures to them after comparing them, if necessary, but that they had no need to attest them; on this, the sowcars were in every way persuaded to attach their signatures to the documents, but they replied that they had once attested with their signatures the copies made from the chopras regarding the yadee of 21,000 rupees; that if there be any difference between those and what Nurbheyrambhaee has now copied, let them be compared. Nurbheyram then said, he has no need to have them compared, but that it is necessary to have the copies taken by him attested with their (the sowcar's) signatures; the sowcars replied that they did not understand why they should every time be required to attach their signatures in matters relating to the chopras; thus they refused to attest their signatures. Bhow Sahib then told Nurbheyram, that Baba Nafra is present here, and if he had any question to put to him to do so; he replied that he had no need to ask him anything. Bhow Sahib, by order of the Mahraj, reminded Nurbheyram that when Sumbooram had told him, that agreeably to the orders of the Resident, he should take copies in the presence of respectable persons, he had replied that he had no occasion for them, for that he considered the native agent in the place of the Resident, and Sumbooram in the place of Mahraj, therefore what need is there for sowcars? Nurbheyram then acknowledged having said so at that time, but added that in order to rid himself of the burden (pulla pak), he wishes to have the copies authenticated; on this the sowcars were again directed to attest their signatures, but they refused to do so, and thus took leave. Nurbheyram, Manucklall and Heerachund, these three persons went to their houses, and as I got up to go, Govindrow told me that the yads received that day were not attested by me, which I accordingly did, and afterwards I left the place and came to the Resident and informed him of all that had occurred, and about half-past eight o'clock I came to my house. On the sixth day, the 3d October 1850, about eight o'clock, the Resident sent for me, and said that the father of Joiteebaee Setanee had come, and reported that the two setanees are quarrelling from the misrepresentations of the goomastas, by which the firm will be ruined, and regarding which arrangement should be made, and desired me to go to Bhow Sahib, and to send for the goomastas and make the necessary arrangement in the matter, and to inform the Resident of it. On this I returned to my house, and after taking my meal went to Bhow Sahib after nine o'clock;

on

on the road I sent word to Nurbheyrambhaee, in Dhakjee's "warra," that I was going to Bhow Sahib on some business, but that he should go to the residency after taking his meal, by which time I shall be back again. I then went to Bhow Sahib, and agreeably to the Resident's order, stated the circumstances to Bhow Sahib, and desired him to make the arrangement. Bhow Sahib then called for the goomastas of Hurree Bhugtee, Lulloo, Bhugwan, &c. who were at Bhow Sahib's at the time, and told them that they are causing a fight between the two setanees by misrepresenting matters, and thereby causing the ruin of the firm, of which they will be held answerable, and which will certainly prove their ruin. They replied, that they said nothing to the two setanees, but if they have enmity to each other, what can they the (goomastas) do. The Sirkar should therefore send for the two setanees at the palace and give them advice. On this Bhow Sahib said, that Mahluximee Setanee will not come when sent for, but that on my way back to send word to the setanee, that when she is sent for by Bhow Sahib she should go, and he gave a jessood for that purpose, with whom I went to the firm of Hurree Bhugtee, and told the two setanees to attend the Durbar whenever called for. That they should not quarrel with each other, as to bring ruin on the shop, that the Mahraj would make arrangements for them; after saying this, as I was returning to my house, I inquired for Nurbheyram at his house, when I was told he was gone to the residency; on this I came to the Resident which was about 12 o'clock, and found Nurbheyram seated near the Resident, and I also sat down. The Resident then told me that Nurbheyram wished that the copies which Heerachund had left with him should be authenticated, and desired to know by whom they were copied; I replied, they were made by Manucklall, the person who came with Nurbheyram. Those made by Heerachund are in the cutcherry. On this the Resident said, that those copies by Heerachund should be given to Nurbheyram, and those by Manucklall to be kept here. On this Heerachund was called with the copies, which the Resident authenticated, and those by Manucklall were signed and given to Heerachund to be kept in the dufter. The Resident then asked Nurbheyram if anything further remained to be copied as proof of what was sent to Surat regarding the yad of 21,000 rupees; he replied, that the extracts which the Resident had sent were all right, and nothing further directly relating to the 21,000 rupees remained to, but that the eight copies which he had made were required by his Sahib for the purpose of examining one year's transactions, which he had done accordingly. The Resident then asked Nurbheyram whether, as requested by Mr. Andrews, he got the required aid from himself and the Mahraj, or any thing was wanting; he replied that he received all the aid he required, both from the Resident and the Mahraj, but that the sowcars refused to authenticate the copies made by him, but that as the Resident has done it, he has no occasion for any one. The Resident then told him, that Mr. Andrews had requested that the copies should be made in the presence of respectable persons, and as he was desired to have them done in the presence of a committee, why did he say "No" to Sumbooram; he replied, that as Sumbooram, on the part of the Durbar, and I on the part of the Resident had come, there was no need to have a committee, because the copies were, after being compared at the Durbar, to be authenticated by the sowcars, for which reason he said "No" to Sumbhooram. The Resident, upon this, asked him why the sowcars, while on the terrace, refused to authenticate the copies. Nurbheyram replied, that the sowcars said that as they had before attested their signatures to copies relating to the yad of 21,000 rupees, they should be compared with those made by him now, and if there be any difference, they would get them to agree. But they would not attest their signatures again. After this the Resident gave Nurbheyram permission to go, who asked for a letter on Mr. Andrews, when the Resident said, that as soon as a yad was received from the Guicowar, the letter would be sent after him. On this Nurbheyram and I left the Resident; Nurbheyram then went to pay his respects to Major Brown and Mr. Battye, in the Cutcherry. About three o'clock, Nurbheyram came to me, when I asked him when he intended to start for Surat; he said in reply, "Bhye, show me your house;" on this we both proceeded to my place; on the road Nurbheyram began to say that there was a Parsee living in camp, by name Burjodjee, who was a great friend of his brother Anoopram, and that he was coming to place him under my protection; so saying, he sent his sepoy to call him, as he lived near me. He joined us on the road, and we three together came to my house and seated ourselves on chairs; Nurbheyram then looked all over my house, and said that this Burjodjee was a great friend of his brother, and is an excellent deserving man, and one who would be of use to me; that if I got him a place at the Guicowar or any where else, he would feel greatly obliged to me. After giving pan sooparee, Nurbheyram went to his house with Burjodjee in his gharry. When Heerachund used to accompany Nurbheyram in his gharry for the examination of the chopras, Nurbheyram used to speak disrespectfully about the Mahraj and others; this Heerachund informed me, but I have no occasion to write all this. If the Resident wish, Heerachund can be questioned on the subject, who will state all that had been told to him. Nurbheyram came to the Resident on the 28th September 1850, and from that day to the 3d October 1850, the date on which he took leave, all that had occurred during that time has been detailed above. But Nurbheyram in his report has written many things falsely. I shall briefly mention a few circumstances as follows:

1st. He states in his report, that from the first to last the committee never assembled; that from the beginning Sumbhoorambhaee had asked him to have a committee assembled, but he replied, he did not require it. This he also said at the Durbar and before the Resident, which I have mentioned above. After saying so, he writes falsely in his report, which should be inquired into.

2d. He writes in his report, that he and myself after leaving the Resident came out; that on the left side where there are some Europe tall trees, I told him that Tambeykur Bhow had suspicion that through the advice of Gunesh Punt, he was making some inquiries about him, therefore not to get the copies authenticated. That I had gone to the Mahraj to get the yad, &c. But I beg to state that I had no such conversation with him, and what reason had I to tell him so. Nurbheyram has falsely written this, which should be inquired into.

3d. He also writes in his report, that "after I took him to my house I told him that I am not concerned in this affair, and therefore not to bring any suspicion on me." I beg to state that I have stated above the circumstances of his having accompanied me to my house in company of Burjodjee Parsee, a friend of his late brother Anoopram, whom he placed under my protection in order to get him some employment, and if the Resident wish the Parsee's evidence could be taken on oath, and if he deposes correctly, it will appear that what he, Nurbheyram, has written in his report is false.

4th. On the 3d October 1850, agreeably to the Resident's order, I went to Bhow Tambeykur and Hurry Bhugtee's houses regarding the dispute between the two setanees, which circumstance I have stated above; but Nurbheyram writes that he was informed that all the goomastas of Hurry Bhugtee had been got together, with whom I was in consultation, and that he heard in Baroda that matters were being concocted to bring blame on him and his master. From whom, how, and where he heard this, the Resident should institute inquiries, to find out the author, &c., by which all will be known.

5th. On the 3d October 1850, as I was going to Bhow Sahib, I stopped my gharry at Nurbheyram's house, and sent word upstairs by his peon that he should go to the residency, as I had some business at Bhow Sahib's; this circumstance I have stated above; such being the case, Nurbheyram in his report writes that he sent his man after me; what can be his motive for doing so? The Resident should institute inquiries into it.

The above proceedings have been written for the information of the Resident. Besides, I beg to state, that Meersahib's garden is close to the bowry of Roma Wagh, where I had heard Nurbheyram had put up; and as the hamal of Meersahib used to bring me some vegetables every third or fourth day, I asked him one day, while being shaved, whether Nurbheyrambhaee, from Surat, had put up in the garden; he replied that he does not know him by name, but some Government servants and sepoys, in all about six or seven persons, had come as guests in the garden, among whom there was a fair, stout-looking person, of a short stature, a Brahmin, who had a Surat turban on. They remained in the garden for two days. This I had informed the Resident.

Baroda, 16 October 1850. (signed) *Soorujram Gungaram.*

(True translation.)

(signed) M. Battye, Assistant Resident.

Appendix, No. 12 B.

TRANSLATION of the Deposition of Heerachund Hurrybhaee; religion, Hindoo; caste, Banian; profession, Carkoon; aged 30 years; inhabitant of Nuriod Zillah, Kaira, now employed on the Residency Establishment at Baroda; dated 17th October 1850, and sworn before the Resident on the 3d December 1850.

Question. Soorujram, native agent, has written in his report, that when Nurbheyram, sheristedar of the Surat Adawlut, came to Baroda, for the purpose of examining the chopras of Hurree Bhugtee's firm, you were with him, and that you would, on being questioned, state all that passed between you and Nurbheyram. Therefore, state what conversation took place between yourself and Nurbheyram?—*Answer.* On the 28th September 1850, Soorujram, after his return from the Resident, told me in the cutcherry, that I should mount his horse, and go to Nurbheyram, who has come from Surat, and who has put up in the house of Dhakjee, and tell him to take his meal and be ready, as Soorujram was coming. Accordingly, I mounted the horse, and went to Nurbheyram's house, who was seated on a chair upstairs. He asked me why I came; I replied, that Soorujrambhaee was coming, and for him to take his meal and be ready. He then said that he is ready; so I sat near him. Nurbheyram then asked me who got up this affair. That it was not becoming in Soorujram to do such a thing; that if gentlemen bear enmity one to another, he should not interfere in it. Outram Sahib, who is a military man, has got the rank of a Colonel, and appointed Resident; but what can he know about meting out justice, and of examining chopras, so as to put him in this trouble? He only knows about fighting. That he will never remain here, and Mr. Andrews will come in his place, when Soorujram will be ruined, and he will have no one to look for support save Providence. Mr. Andrews being of the civil line, is well acquainted with the business of the Adawlut, and your military Sahib cannot come up to that gentleman. But the end of this case will be Soorujram's ruin. That he would not have said this, but for the friendship which existed between his father and Soorujram. This Sahib has at once raised Soorujram to a high situation, that of native agent; but as he only performed the duties of "zuptu," what can he know of the duties of this residency? That he knows Soorujram well, and that I should tell Soorujram it was not proper for him

to

to have got up this affair, by doing which Mr. Andrews would take notice of his past conduct, and disgrace him; and that he warns me of it. That without carrying this matter to any length, it should be brought to an end at once, and desired me to tell Soorujram of it. After saying this, Soorujrambhaee arrived, and we all went to Hurry Bhugtee's shop; and on my return home, I told all that Nurbheyram had said to me. On the 29th September 1850, Nurbheyram told me at the shop of Hurree Bhugtee that I was a "loocha" (vagabond), and that he could not get anything out of me. At which time the goomastas of Hurree Bhugtee were hearing this; but he being a great person, I could not answer him anything. On the 30th September 1850, we left Hurree Bhugtee's shop, and went to the Durbar; and on our return home, I and Nurbheyram sat in one gharry. Nurbheyram began to tell me, that though my Soorujrambhaee went to the Durbar, he did not meet his Highness; but after meeting the karbarees, he went away. I replied that, without any business, why see the Mahraj? He replied, that the former native agent thought nothing of the karbarees, and when he went to the Durbar, he would meet the Mahraj, but not the karbarees. On the contrary, it was usual for the Mahraj's karbarry to call on the native agent. Now he sees the native agent does not command that respect as before, but knocks about from house to house. After reaching his place, Nurbheyram, got out of his gharry and went into his house, and I came to camp. On the 1st October 1850, I went to Nurbheyram, by desire of Soorujram, and told him that Soorujrambhaee has taken leave to go to dine at Josee Runchore, but that he has sent me to him; I therefore asked him to accompany me to Hurry Bhugtee's shop, to commence the examination of the chopras. That Soorujrambhaee, after taking his meal, will be there also. He then desired me to sit down, and said that he does not feel well to-day, therefore begged me not to bother him, but to go back, and that when Soorujrambhaee comes he would tell him of it. As I was returning, I met Soorujrambhaee on the road, and told him all as above stated, and I came to the cutcherry. On the 2d October 1850, by desire of Soorujrambhaee, I went to Nurbheyram, and told him to take his meal and be ready, as Soorujrambhaee was coming. He replied, "very good," and desired me to sit down near him. Nurbheyrambhaee then began to tell me that my Sahib is in a great hurry, but in matters of justice and of examination these cannot be done in a hurry. That my Colonel Sahib is in the habit of bullying every gentleman, but we all shall see that Mr. Andrews will outwin the Colonel. That in such trivial matters, Soorujram should not have alluded the Sahib to make any mention of Doolun Beebee's name. By exposing the matter, it will be difficult to prove. To such a hasty Sahib, Soorujram ought to have tendered his advice to him. I replied, that my Colonel Sahib will not listen to any one; if any one, by misrepresentations, hide anything from him, or if any bribery matter is brought to his notice, he would take the life of the guilty party. Whatever public matters as are known, the same is brought to his notice, who, after weighing the matter well in his mind, does as he thinks proper; but he will not act up to any one's telling. Nurbheyram, on this, told me that Mr. Andrews' disposition is very good; that large cases are tried there, but if the Sahib does not properly understand any case in court, he would postpone his decision, and tell him (Nurbheyram) to bring the proceedings to him up-stairs, which he would do; and after explaining the whole case to the gentleman, he would then pass his decision; but that Mr. Andrews would not give his decision without consulting him. In the meantime Soorujrambhaee came, so he stopt conversing with me. Afterwards, Sumbooram came; he sent a carkoon to bring the chopras, and returned to his house. We all then went to Hurree Bhugtee's shop, and after doing business there, went to the Durbar, and on our return home, I and Nurbheyram sat in one gharry. Nurbheyram asked me, is the Mahraj "ram gaude" (mad). I said, bhaee, how is this? He said, that when all were sitting, the Mahraj laid on his stomach on the gadee, which was not becoming in a sovereign. He further asked, how came Doolun's name to be written? I replied, that whatever may have been written in the proceeding must be correct; how can I tell from memory? He then said that I was a "loocha," and would not tell him properly. As we neared his house, he got out of the gharry and went in, and I took his horse, and came to camp. All this I informed Soorujrambhaee as they occurred.

(signed) *Heerachund Hurrybhoy.*

(True translation.)

(signed) M. Battye, Assistant Resident.

Appendix, No. 12 C.

TRANSLATION of the Deposition on oath of Burzojee Nusserwanjee; caste, Parsee; aged about 50; profession, Service; now residing in the camp of Baroda; before the Assistant Resident, on the 25th October 1850.

Question. ON the 3d October 1850, Nerbharam, sheristedar of Surat, sent a man to call you for the purpose of placing you under the protection of the residency native agent, Sooruzram, state what conversation took place between Sooruzram and Nerbharam at the time?—*Answer.* As Nerbharam and Sooruzram were going to the latter's house from the Residency, the former sent his man for me. As I was going I met them on the road, so we three went to Sooruzram's house, and took our seat on chairs. Afterwards, Nerbharam told

Sooruzram that this Parsee, Burzojee (alluding to me), was a friend of his brother Anoopram, and that I was a deserving man; that if he (Sooruzram) would get me a situation anywhere, he would be greatly obliged to him; on this, Sooruzrambhaee said that he would do it when an opportunity offers. Afterwards, Nerbharam asked leave to go on, when Sooruzram gave him pan, sooparee, utter, and rose-water. Nerbharam and I then went to his house in the city in his ghary. Besides this, no other conversation passed between them.

A copy of Nerbharam's report, made at Surat, has been received, in which he states that Sooruzram, after taking him to his house, told him that "he (Sooruzram) was not concerned" in this affair, and not to bring any suspicion on him. How do you account for this?—What Nerbharam says, such did not transpire at Sooruzram's house; what passed between Nerbharam and Sooruzram I have stated above; besides this, nothing more was said by Sooruzram. What Nerbharam says is false.

(True translation.)

(signed) *M. Battye*, Assistant Resident.

Appendix, No. 13.

EXTRACTS from Hurree Bhugtee's Chopras, of Money presented on the occasions of Marriages, &c., to Womunrow Baba Nafra. Debited in Sumvut 1891 (A.D. 1834-35), at page 257 of Khurda, as follows:—

	Rs.	a.	p.
For the marriage expense of Bhaw Sahib and of the daughter of Baba's brother Balla	15,000	–	–
Paid in Sumvut 1890 (A.D. 1833-34), on the occasion of "junnoee" Brahminical thread given to Baba's son	1,500	–	–
	16,500	–	–
Debited to "exchange" at page 438 of Khurda for St. 1894 (A.D. 1837-38) for the marriage expense of Baba's daughter and brother Balla, and for gurugneer (a present made at a wedding entertainment), and for a pearl necklace	12,200	–	–
Debited to exchange at page 273 of Khurda, for Sumvut 1900 (A.D. 1843-44), for the junnoee of Baba's son, Appasab and Korsaba	2,500	–	–
For the marriage of ditto - ditto	15,000	–	–
For gurugneer	600	–	–
For present of pearl necklace	600	–	–
	16,200	–	–
For the third marriage of Baba's brother Balla	1,000	–	–
	19,700	–	–
Debited on Assoo Vud 15th, Sumvut 1893 (A.D. 1836-37) at page 447 of Khurda for Baba's son Unna's marriage, and junnoee	10,000	–	–
Total Rupees	58,400	–	–

Ditto - ditto, presented to Sewlal Sunkerdass, the Mooneem Goomasta of Hurree Bhugtee's firm, before Baba Nafra succeeded to that office:

	Rs.	a.	p.
Debited in the month of Ussad, at page 252 of Khurda, for Sumvut 1883 (A.D. 1826-27), for the marriage of Sewlal's daughter Sooruj, which took place on Mah Sood 5th, of the said year	10,000	–	–
Debited on Assoo Vud 15th, Sumvut 1884 (A.D. 1827-28), at page 378 of Khurda, for the marriage of Sewlal's son Petamber	7,250	–	–
Debited on Assoo Vud 15th, Sumvut 1885 (A.D. 1828-29), at page 413 of Khurda, for 2528 "thallees," plates distributed among the people of Vessalad Bunian	5,528	11	3
	12,778	11	3
Debited on Assoo Vud 15th, of Sumvut 1895 (A.D. 1837-38), at page 494 of Khurda. For the marriage of Sewlal's two sons, Purmanund and Jumnadass	15,100	–	–
TOTAL - - - Rs.	37,878	11	3

(True translations.)

(signed) *M. Battye*, Assistant Resident.

Appendix, No. 14.

TRANSLATION of Mahdoolall Gungadhur's Report to his Highness, dated 4th Assoo Sood 1906 (9 October 1850).

I YESTERDAY received orders from the Durbar to inquire about a kamdar from Surat, by name Nerbharam, who is said to have remained two nights in the Meer Sahib's garden, before entering the city. I therefore sent with Lulloobhoy carkoon, Beehur Pursad and Syul Meerum, who have returned, and reported as follows: That in the Meer Sahib's garden, near the Nowlucky well, it does not appear that anybody has been staying; but in the other garden belonging to the Meer, near Rama Wagh's well, on the road to Meeapoora, they learnt from two men, Akoojee and Runchor, who were in the garden, that within the last 15 days a man from Surat has remained there two nights. They are not certain whether he cooked his dinner the day he arrived or not, but the next day they saw him cooking. It appears that one of the men, Akoojee, stays the night in the village of Meeapoora, which having been previously brought to notice, I was directed to send for Akoojee through the koomavisdar of the village, which was accordingly done last night; but it appears that there is no person of the name of Akoojee in Meeapoora. On previously reporting this to the Durbar, I was directed to go in person to the garden with Beehur Pursad, and take the depositions of the parties in question. On arrival at the garden, I put questions to the men who informed me, that they yesterday thoughtlessly answered some questions put to them by two men, but that now they would not say another word without the Meer Sahib's orders. On reporting this, orders were issued to cause the attendance of the parties before the Durbar. Sepoy Goolab was sent for the purpose, but they again refused to obey; and repeated that their master had heard of what they had said, and that they had got into trouble. The accompanying four depositions are herewith submitted.

TRANSLATION of the Deposition of Lulloo Bhybar, Inhabitant of Baroda, given before the Durbar on 3d Assoo Sood 1906 (8 October 1850).

I came here for employment, and went the day before yesterday to Mahdoolal Gangadhur, the business of the Amriely Mussulmen was going on at the time. The name of Nerbharam, from Surat, was mentioned; and I said that he remained for two days in the Meer Sahib's garden before coming into the city. They told me the Sirkar had ordered an inquiry into the matter, and told me to go with Beehur Pursad, and find out in which garden Nerbharam put up, how long he remained there, &c., and report the result of my inquiries; upon which Beehur Pursad, Syed Meerum, and I went and made inquiries at the Meer Sahib's garden, near the Nowlucky well, but nobody had been there. Beehur Pursad afterwards took us to the Meer Sahib's other garden; Syed Meerum went a little ahead, and we followed; a man with a beard, and another fellow sitting in the garden. Beehur Pursad asked them if within the last 15 days a kamdar from Surat had put up there; the man with the beard said that the kamdar had been there, and remained two days. Beehur then asked where he (the kamdar) cooked his dinner; the man said he did not know how he managed the first day, but the second day he saw him cooking in the room. On hearing this, we all came back, and reported what we had heard to Mahdoolall Gangadhur.

STATEMENT of Bechur Pursad, Carkoon, before the Durbar, on 4th Asso Sood 1906 (9 October 1850).

MAHDOOLAL sent Lulloobhoy and I to inquire at the Meer Sahib's garden if a kamdar from Surat had been residing there. We accordingly went there yesterday with Sepoy Syed Murun to inquire about it. At the garden, near the Nowlucky well, we got no information, and we then went to the Meer Sahib's other garden, near Ramah Wagh's well. Meerum went there before by himself, and got there before Lullo and myself. We asked him if he had made any inquiries; he said he had not. Meerum and I then asked a man, with a beard, who was sitting near us with another man, if within the last 15 days any man of consequence from Surat had been staying at the garden; he replied, that a short respectable man had been staying there for a couple of nights. We then asked how he managed to cook his dinner in the garden, and if he knew his name; he said no, but that he answered to the description we had given of him; that the first day he did not cook his dinner, but the day after he did so in a room adapted for the purpose, and that he had seen him. The other man, who was a short distance off, then asked what I was inquiring about, and I told him. We then asked their names, and found that the man with the beard was named Akoojee, and the other Runchore; on inquiring where they passed the night, the former replied, there was a village near in which they slept, but, when it was necessary, they remained in the garden. Meeapoora being the nearest village, I imagine that is the one they mean. These circumstances were reported to Mahdoolal. The next day he sent a sepoy, Goolab, with me, and desired me to bring the people I had mentioned. I went with Goolab to the garden for that purpose, and told Akoojee and Runchore that the Sirkar had sent for them. They said, that we had yesterday persuaded them to answer our questions, for which they would get into trouble, and that they would not say anything more without the Meer Sahib's orders. On their saying this, we returned and reported all that had happened.

STATEMENT of Syed Meerum, Sepoy, dated 3d Asso Sood 1906 (A. D. 8 October 1850), corroborates the statement of his companions, Lullo, Bhybur, and Bechur Pursad, and tells exactly the same story as the latter.

STATEMENT of Sepoy Goolabkhan, 4th Asso Sood (9th October 1850).

MAHDOOLAL told me to day to accompany Bechur Pursad and do as he desired. We went together to the Meer Sahib's garden, opposite Rama Wagh's well. He pointed out two men in the garden, named Akoojee and Runchore, and told me to call them, which I did. The former replied that he would not, upon which I told him it was the Sirkar's order that he should do so, and that he must therefore obey; he then said that he had got into trouble in consequence of what he had been induced to say yesterday, and that therefore he would not accompany me without the Meer Sahib's orders, or unless one of his master's people came for him; moreover that he would say nothing. I reported all this on my return.

TRANSLATION of the Deposition of Bhyjee Jellar; religion, Hindoo; inhabitant of Tandal Jana; aged about 25; profession, Service as Sepoy in Rowporra Hubootra; taken on the 9th October 1850.

ABOUT eight or nine days ago, as I was going for some plantain leaves for Kotwal Shumbooram, I went to the garden of Meer Sahib, which is close to the Bowree of Ramah Wagh, to have a smoke with a relation of mine, Runchore, there; but he was absent in the garden, and as I went in search of him I passed two rooms where some respectable looking persons were, and after meeting Runchore we returned to his hut; but as we passed the two rooms, I asked Runchore who are these persons, and from where have they come; he replied, that they came from Surat, and have put up here. Three or four days after this, as I was going to the shampa of Rowpoora, I saw these persons at the window of Dhockjee's house to the west of it. Afterwards the kotwal sent me to Runchore to make inquiries regarding these persons, and I went and told him that as something is to be asked from him about the persons who came from Surat, he was to accompany me; on this he got very angry and ran after me, and said as we all want to ruin him, he would not come, and that if his master came to know of this, it would be his ruin, so he would not come. I have stated all that has occurred.

Question. What is the name of the strangers you saw in the garden, and of what description were they?—*Answer.* I did not ask their names, but there were six or seven persons, the principal of whom was fair and stout. There is no difference in what I have here stated.

Dated Assoo Sood 4th, 1906 (A.D. 9 October 1850).

You have stated that about eight or nine days ago those persons of Surat had come to the garden of Meer Sahib, and that they had put up in Dhockjee's huvalee, but as Nerbharam, the Surat sheristedar, who had put up in that huvalee had left this 12 or 13 days ago, and you say that you saw him 8 or 9 days ago; how is this?—We, as sepoys, do not know to read and write, so that I cannot say how many days it were by calculation, but this much I know, it was the 7th or 8th of the Shrad.

TRANSLATION of the Deposition of Duffedar Jallum Sheerbhoy.

ABOUT eight or nine days ago I was sent from the chubootra to get plantain leaves, so I took Bhyjee sepoy with me, and went to Sirkar's garden, where we got a few, which I sent to the chubootra, and from thence we went to the bowree of Rama Wagh in search of some more. Bhyjee sepoy then told me, that he has got a relation by name Runchore in the garden of Meer Sahib, where, after having a smoke, he would accompany me, so we both went to this garden, but Runchore was not in his hut. On this Bhyjee said, let us go and see him in the garden, as he must be there. And as we were going we saw some respectable looking persons in the rooms in the garden, and after meeting Runchore, we three came up to the rooms, where Bhyjee asked Runchore who are these persons, and from where did they come; the latter replied, they came from Surat, and as they are acquainted with his master, they have put up here. As I was with Bhyjee, and on being asked, I have stated all that had occurred.

Question. From what place are these persons who had put up in the garden, who are they, what are their names, and how many were they?—*Answer.* Runchore did not tell me their names, but said they were guests from Surat, and that there were seven or eight persons, including Brahmins and sepoys; two had Surat turbans on, and one had a Baroda turban.

Did you see these persons before or subsequent to your seeing them in Meer Sahib's garden; if so, at what place, and had you any conversation with them?—I had no conversation with them, but I saw them twice in company of the karkoon of Sooruzrambhaee, of the residency, as they were going into the city, and also at the Durbar. I also saw the person with the Surat turban on, and his gomashta, in company with Soorujram, at the Durbar. The person with the Surat turban on is fair and stout; the Banian who accompanied him had a sallow complexion. The sepoys were Hindoo and Mussulman, and they took up their residence in Dhockjee's house.

Dated Assoo Sood 4th (A.D. 9 October 1850).

You have stated that the Surat guest who had visited Meer Sahib's garden was Nerbheram, but this person had arrived here about 12 or 13 days prior to the date of your making your deposition, and as you say eight or nine days; how is this?—I do not recollect the date, but I know it was the 6 or 7 of the dark nights.

(True translation.)

(signed) *M. Battye,* Assistant Resident.

4.

Papers marked "Copies," A. to LL., accompanying Lieutenant-colonel *Outram*'s Report.

EXTRACT Bombay Secret Consultation, 26 November 1851.

(COPIES.) No. 907 A.

A.

My dear Andrews, Baroda, 31 July 1851.

I AM sorry to have to send you the enclosed copy of a paper found among Baba Nafra's chopras, and of the explanation given by the gomashtas of the firm, which implicates Larkooba, formerly in this office, and his uncle Moongajee, who is under you at Surat, and who I am told were protégés of yours, and also, a woman Doolun, in receiving a large sum of money from Hurry Bhugtee's firm, or rather from Baba Nafra, a considerable portion of which is put down as "sent into camp" with Baba Nafra's son Anna, for Larkooba, who I fear must have made a rascally use of your name on the occasion, although such does not appear on record, for this is the way in which such large sums were obtained by these scoundrels, who enhanced their unlawful gains by leading the givers of bribes to believe that the larger sums reached the head of the office.

Perhaps you may think it worth while to take steps to make Larkooba explain why he received this money.

Believe me, &c.
(signed) *J. Outram.*

Enclosures to the above.

No. 1.

TRANSLATION of a Memorandum of the Debit and Credit, from 2d Jest to 5th Assar Sood.

Dr. *Cr.*

Received from Vishnoo Narrain.			Paid Parak Narrain Rao Runchore.		
		21			
Rupees - - -		*~~24~~,000 - -	Rupees - -		18,000 - -
On Sood 12th (25 June) - -	300 - -		On Vud 4th (2 July) 14,000 - -		
On Vud 1st (29 June) - -	700 - -		On Assar Sood 5th (17 July) - -	4,000 - -	
	1		Paid ~~Subhaguntcebace~~ on the 8th (5 July) taken to camp by Anna for payment to Larkooba -		3,100 - -
From 4th to 8th Vud (2 to 5 July)	4,000 - -		Paid Ooka Sonar - - -		500 - -
On 4th Vud (2) - 350 - -					18,600 - -
„ 8th „ (3) - 550 - -			House expense - - - -		2,400 - -
„ „ „ (5) - 3,100 - -					
	1				21
	†4,000 - -				~~24~~,000 - -
On Vud 10th (7) - - -	650 - -				
„ „ 4th (2) - - -	14,000 - -				
Assar Sood 5th (17 July) - -	4,000 - -				
Kitta - - - - -	350 - -				
		21			
		~~24~~,000 - -			

N. B.—The erasures in the figures were not shown in the copy of the memorandum first sent to Mr. Andrews.

(signed) *J. O.*

Notes by Mr. Battye, on subsequent examination, after the original Memorandum had been returned by Mr. Andrews on the 24th August :—

* In the original it looks as if 24,650 had been formerly inserted, and altered to 21,000.

† This 4,000 is altered to 1,000, but the figure 4 is still legible.

No. 2.

TRANSLATION of a Memorandum prepared by Sumbooram regarding a Yadee of Debit and Credit, from 2d Jest to Assar Sood 5th, found while examining the Dufter of Baba Nafra.

IN the yadee, 21,000 rupees have been credited as received from Vishnoo Narrain on different dates, but there is no such firm of that name, and therefore it is an assumed one. Of this sum, 18,000 rupees have been entered as paid to Narrain Rao Runchore; and below is entered an item of 3,100 rupees, in the name of "Sobhagwunteebaee," which has been struck out and another entry made in its stead, viz.: "On the 8th, Anna took to camp for payment to Larkooba." This sum is to be found in the "rejmel" (daily cash) "surveya" (annual account), and other documents of accounts for 1903 (A.D. 1847), from which it appears that this sum was expended during the year.

2. On inquiry as to who Larkooba is, it appears that when Mr. Andrews was acting resident here, one Moongajee from Surat came to see this gentleman, and remained here for about two months; Larkooba was sent for, and employed in the treasury as English writer. Some time after that gentleman's return to Surat, he sent for Larkooba, who is now employed at Broach.

On inquiry as to who "Sobhagwuntee" is, it appears that she is an inhabitant of Ahmedabad, by name Doolu; was in the keeping of the above gentleman, and resided in camp; but, in consequence of her bad conduct with a burgeer, she is turned away by the Sahib, and is now living at Ahmedabad.

31 July 1850.

B.

My dear Outram,

YOURS of the 21st (31st) ultimo, reached me yesterday, with two enclosures, but not the explanation of Hurry Bhugtee's gomashtas. Have the goodness to forward to me copies thereof; I will call on Larkooba immediately. I feel certain that he can have no answer to give, but a denial *in toto*. It is astonishing to me that a person of your experience in native intrigues should have given so ready a credence to the memorandum of accounts, which, in my opinion, is utterly worthless as evidence. Who can be safe if such papers are thought worthy of consideration? The Baroda people have a habit of cheating, by entering the names of governors, councillors, &c. It is much to be regretted that, in this instance, you have allowed yourself to be imposed upon by those who have an interest in deceiving you. If you had compared the dates given in the account, you would have found that they correspond with the English months of June and July 1847, when I was back in Surat, and you were resident at Baroda, so that I am in no way concerned in them.

Yours, &c.

Surat, 5 August 1850. (signed) *W. C. Andrews.*

C.

My dear Andrews, Baroda, 15 August 1850.

THE holidays have prevented my obtaining earlier the further information I wished to get for you, regarding the sums of money supposed to have been given to Larkooba and Moongajee, and the woman referred to in my former note. I am certainly surprised and disappointed at the tone in which you have received the information contained therein, which was conveyed in the friendly spirit in which I should wish and expect any friend having an interest in my honour, to communicate to me information calculated to throw suspicion on the character of those in whom I placed confidence, provided it were of such a nature as to display ground for that suspicion, which assuredly I consider what I furnished to you to do.

2. You might have relied upon the experience for which you give me credit, in native intrigues, preventing my "giving ready credence" to any mere memorandum of accounts found in the public chopras, of Hurry Bhugtee's firm, or to any such memorandum voluntarily communicated to me; but it happens that the memorandum of which I sent you a copy, was found among Baba Nafra's private papers, which he had endeavoured to conceal, and that the money was disbursed, is proved by a corresponding item (as to amount) in the public chopras, wherein the sum is accounted for (but in a different manner, evidently for the purpose of concealing its real destination), as you will see from the original memorandum, and extract from the chopra forwarded with my official of this date, explanatory of which I now enclose a memorandum, pointing out the circumstances, which prove the authenticity of the first-mentioned document, and display the attempts at concealment in the latter.

Appendix No. 1.

3. I ought to have been more explicit in my first communication, which was, however, written in a hurry, in presence of the assembled sowcars and gomashtas, at the moment when the document was found, to which my attention was called by observing some excitement among them when the paper turned up; seeing which, and hearing them mention your name, I demanded what was the nature of the paper they were looking at. With evident reluctance they explained its purport.

4. The

4. The gomashtas, on my questioning them regarding Larkooba, and the woman, in connexion with whom they had used your name, then explained that the former was supposed to have influence with you through his uncle Moongajee, who, from the circumstance of having been much with you, and being frequently seen driving with you in your carriage when he visited Baroda, was supposed to enjoy your unlimited confidence. They also stated that the woman was intimately connected with you. Their belief evidently was, that these parties had obtained the money by leading the givers to suppose that their influence with you would be successfully exerted on the donor's behalf. I publicly expressed my extreme indignation that people should be led away by the representations of such scoundrels into the supposition that they could influence you, or any English gentleman, by such means, and informed them that I should instantly communicate to you what they had stated. For this purpose, I directed Sumbooram, the Durbar foujdar, who was present, to write down the substance of what he and the gomashtas had represented. This was the paper I sent you as the explanation of the foujdar, and I despatched it in their presence. I did not take their depositions, lest it might lead to the supposition that I gave any credence to the insinuation, and purposed myself instituting proceedings in a matter which concerned you, and I concluded would be taken up by yourself. You must understand that all this occurred in public, and that some of the gomashtas belonged to Baba Nafra's party; others may have been against him, but his (Baba Nafra's) own confidential people were present, as well as Sumbooram, in behalf of his Highness, at the examination of the papers which had been seized in Baba Nafra's house, were then sealed up in his presence, and so brought to the residency, when the seal was broken, and the papers examined in the presence of the parties above-mentioned; and then it was that the paper referred to accidentally came to light. I should tell you also, that the examination of the papers had reference to entirely different matters, nothing connected with Surat having been at that time dreamt of.

5. I am perfectly aware that the Baroda people had previously been led to expend large sums in the expectation thereby to influence "Governors, Councillors, &c.," but I must remind you, that, when the first hint of the affair alluded to reached the gentlemen concerned, they at once adopted the most energetic measures to trace the parties who had thus abused their confidence; although the suspicion that they had done so rested, in the first instance, on more doubtful testimony than what I furnished to you, that is, the assertion merely of a single individual, who might have invented the story to revenge himself on parties in Bombay, who had just incarcerated him on a claim for debt.

6. You, however, at once assume the innocence of the accused party, and feel certain that he can have no other answer to give but a denial *in toto*; and doubtless such will be his defence, if he finds it satisfies you. I have no further concern in the matter. I have acted a friendly part, and done my duty, by bringing the circumstance to your notice; and if you are satisfied with the man's denial, I, of course, as he does not belong to my office, leave the case to be dealt with according to your own judgment.

I was also quite aware that if the money had been taken by these people it could not have been given with reference to any cases pending at Baroda; neither was it supposed to have any connexion with the latter, but with a very important case at Surat, which was about to come before you, in which certain parties at Baroda were deeply interested.

I have now to offer an observation on the letter to your address from Moongajee Dinnanathjee, enclosed in your official communication dated 8th instant.* In the private note in which I forwarded the copy of the memorandum found among Baba Nafra's papers, I mentioned that Larkooba's uncle, Moongajee, was supposed to be implicated with him and the woman in taking the money, and I expressed my fear that they must have "made a rascally use of your name on the occasion, although such does not appear on record, for this is the way in which such large sums were obtained by those scoundrels." In the hurry of writing, I appear to allude to those individuals in particular, though I really referred to parties generally "who enhanced their unlawful gains by leading the givers of bribes to believe that the larger sum reached the head of the office," as had formerly been the case when Mr. Williams' name was similarly made use of here by persons enjoying his confidence; and, more recently, when the names of the Governor and Secretaries in Bombay were so likewise, by Dhakjee Dadajee and others. I have no hesitation in pronouncing such persons to be scoundrels of the deepest die, and believing, as I do, from the general conviction of the fact expressed by so many persons that Larkooba and Moongajee have thus abused your confidence, I include them in the category, and have the less hesitation in doing so with respect to Moongajee, from what I have heard of his antecedents, which by no means entitle him to even equal consideration with Dhackjee Dadajee, who had held a far higher rank and enjoyed far higher consideration among gentlemen, than Moongajee ever possessed, until he was found to have acted in the rascally manner towards Sir J. Carnac, that Moongajee is supposed to have done towards you. If Moongajee was, as I am told, formerly dismissed from Government service for bribery, or some such crime, his feeling cannot be greatly outraged by learning that he had been styled a scoundrel in a confidential communication from myself to you. That he is devoid of truth his letter to you proves, as he therein declares that he is in no way related to Larkooba, well knowing, as he does, that Larkooba is his uncle (his wife being Larkooba's father's sister). I believe it is equally untrue, that he was only, as he asserts, 10 days at Baroda, for all here are under the impression that he was much longer; a month's leave would afford him three weeks at least, for four days only would be occupied in going to and returning from Dhakoor from hence. But perhaps it will be found that, if he had only a month's leave, he exceeded that

Appendix No. 2.
* Which being a mere transmitting letter, is not introduced.
(signed) *J. O.*

term on some excuse or other. But the time he actually passed here is immaterial; 10 days would have amply sufficed to convince the people of Baroda of his intimacy with you (probably the sole object of his visit), seeing him daily, as they say they did, in the carriage at your side.

I have submitted the original memorandum, and its answering item in the chopras, to a punchayet of the principal sowcars here, for their opinion as to which of the documents is to be regarded as displaying the real transaction, and I called for Baba Nafra's explanation, through the Durbar, some days ago, but have not yet received it. I, however, hope to send you both to-day, but of course it may be expected that all the parties thus referred to, will be interested in concealing the real facts of a transaction of this nature, as all must consider themselves more or less liable to exposures of a similar nature; so I can expect little enlightenment from them on the subject, but such as it is, I will send you the result of their deliberations, and of Baba Nafra's reply.

Sincerely yours,
(signed) *J. Outram.*

16 August 1850.

P. S.—The sowcars only answered three of my queries yesterday, and then requested to put off replying to the others till to-day, which I allowed, but it was then past post hour, so I deferred sending my letter till to-day, in hope of now furnishing you with the whole; but to-day they have excused themselves, one of their brethren having died; so I send the
Appendix No. 3. replies they have already given, and will forward the rest hereafter.

(signed) *J. Outram.*

MEMORANDUM referred to in the 2d Para. of the above Letter.

NOTES on the discrepancies between the yad found among Baba Nafra's private papers, in which the sum of 21,000 rupees (altered from 24,000), is credited to "Vishnoo Narrain," and the entry in the public chopras of 21,000 rupees to the credit of "Paruk Vishnoo Narrain."

1st. THERE is no such person as the "Vishnoo Narrain" of the former, or the "Paruk Vishnoo Narrain" of the latter.

2d. The item of 3,100 rupees paid to "Soobagwuntee Baee," altered to 100, for payment to Larkooba, by a stroke through the woman's designation (which is quite legible), and a blotch over the first figure 3 of the item (the figure being also visible) of the yad, is altered in the chopra to "Soobagwuntee Baee Sahib," paid 100, besides a separate item of 100 rupees paid to Larkooba; moreover, the latter exhibits "paid on account of Hurry Bhugtee to Anna Sahib for Larkooba," whereas in the former it is "taken to camp by Anna Sahib, for payment to Larkooba, 3,100" (altered, as above stated, to 100).

3d. In the yad the total of the whole item credited to Vishnoo Narrain is 24,000, altered to 21,000, to meet the erasure of the 3,000 paid to "Soobagwuntee Baee" and Larkooba. In the chopra, the total is 21,000.

N.B.—The sowcars explain the term "Soobagwuntee Baee" as being usually applied to either a wife or a kept woman, but that, in the former case, where the party is so respectable as the wife of a sowcar, it would be written "Soobagwuntee Sahib," but that the "Sahib" would be omitted when applied to a kept woman. It will be remarked that in the yad the term is applied without the "Sahib;" in the chopra the Sahib is written.

Further causes for concluding that the chopra items are entered to conceal the destination of the sum of 24,000 rupees, credited to the imaginary Vishnoo Narrain, the whole amount having gone "to the camp" for Larkooba and the woman, is the clumsy and irregular manner in which answering items have been inserted in the regular chopras, which will be best understood by a reference to my queries to the sowcars.

Moreover, Anna Sahib is the son of Baba Nafra, who it is not likely would be "sent to camp" merely as the trustee of 100 rupees.

D.

Appendix No. 4. My dear Andrews, 19 August 1850.

I GOT the other replies of the sowcars too late on Saturday to forward, and then had to wait till this morning to get them copied for you. I am disappointed in not yet having got Baba Nafra's examination on the subject from the Durbar, which, owing to the holidays, I don't suppose has yet been taken, but of course there is little likelihood of eliciting any explanation from him.

I have, &c.
(signed) *J. Outram*, Resident.

E.

My dear Outram, Surat, 23 August 1850.

Since my last, I have received the accompanying letter from Ladcoba, and two of yours; one dated 16th instant, the other the 19th instant. I detained Ladcoba's letter, partly that I might first receive the further information promised by you, and partly because I have been very busy, which are the reasons also for having delayed a reply to your communications. Appendix, No. 5.

I now proceed to reply to the first of these. You express disappointment and surprise "at the tone in which I received the information contained therein" (your first note), "which was conveyed in the friendly spirit in which I should wish and expect any friend, having an interest in my honour, to communicate to me information calculated to throw suspicion on the character of those in whom I place confidence, provided it were of such a nature as to display ground for that suspicion, which assuredly I consider what I furnished to you to do."

That I did not receive your communication as you expected was, first, owing to the fact that I did not consider that the copy of the memorandum of the account you sent me furnished any reasonable ground for such suspicion, but that, on the contrary, the dates on which the transactions referred to were entered as having taken place, themselves gave the lie to the calumnies founded thereon by your advisers; and the insinuations thrown out by them with reference to the entry regarding Ladcoba, were only applicable to you, if any one, as you were on these dates the Resident, while I had already returned to Surat. But, in fact, those calumnies and insinuations were utterly unwarranted by the paper of account; they were the infamous suggestions of their authors' own corrupt minds, and however well they may have acted their part which imposed on you, the stubborn fact of the discrepancy of the dates should at once have induced you to reject the explanations given you as manifestly base libels, instead of receiving them as credited, and giving them the weight of your official sanction, and this even if you had been unfriendly disposed towards me.

In like manner, the entry made in the same paper regarding the woman, which in the original I see is erased, though this was not shown in your copy, was perfectly incapable of fairly bearing the construction put on it, because the term therein used is applicable only to a respectable married woman, and I believe would never be used but in ridicule (which would scarcely find a place in an account), with reference to a kept woman. But how dared your informers presume to explain an erased item? this also is therefore a calumnious invention of the same persons, and you may imagine how my feelings have been outraged by such a malicious libel having been sanctioned by your official signature, and placed on the records of the residency. If that man of evil notoriety, Baba Furkeya, have been in your confidence, and your adviser on the occasion, I can easily account for all the misrepresentations.

I am willing to accept your assurance of a friendly feeling on this occasion towards me; I can only regret that I should have suffered from your want of judgment and penetration in not discovering and seeing through the machinations which were in progress.

I think I was fully justified in at once acquitting Ladcoba unheard, as he could not possibly on the dates specified have acted with reference to me, and I did not suppose that he could have been thought to have influence with you.

As regards this part of the case, you however (have) thrown out a new insinuation; you say "I was also quite aware that if the money had been taken by these people, it could not have been given with reference to any cases pending at Baroda, neither was it supposed to have any connexion with the latter, but with a very important case at Surat which was about to come before you, in which certain parties at Baroda were deeply interested."

I request now that you will have the goodness at once to inform me to what case this insinuation refers, and the connexion of the parties therein with Baba Nafra or the firm of Hurree Bhugtee, also in what stage of these proceedings you discovered this, as in your first note you made no allusion thereto.

I now proceed to reply to that part of your letter of the 16th instant, which refers to Moongajee; you say "if Moogajee was, as I am told, formerly dismissed from Government for bribery, or some such crime, his feelings, &c. &c."

It is quite true that Moogajee was dismissed from the service of Government, and declared incapable of serving it again, in about 1825; he remained under suspension till 1838, when Anderson, as one of his first acts after getting into Council, had the notification cancelled, and Moogajee was declared eligible for public service. His dismission was owing to some remarks and suspicions thrown on him by Sutherland in the course of a trial of some merchants charged with fraud and offering bribes to Shaw, the present Revenue Commissioner, N. D., who was then in charge of the Custom-house, and who had confidentially employed Moogajee, who was then a clerk in the Custom-house, in detecting the frauds. The accused were acquitted, and Moogajee suspected and dismissed; I well remember the surprise which this result occasioned to the other Judges of the Sudder Adawlut and to Anderson, who was then Criminal Judge, and had committed the case for trial before the Court of Circuit.

To disabuse you of the prejudices you have imbibed regarding Moogajee, I enclose you copies of his certificates; and I think, on candid consideration of their contents, you will admit that you have done him injustice, and that from his antecedents, his feelings are more likely to have been outraged by your contumelious expressions regarding him, than others who have had no previous injustice to complain of.

With regard to Moogajee being devoid of truth, as you assert, if you turn to his letter to

which you refer, you will observe that you have here again done him injustice; his guarded language regarding his connexion with Ladcoba is quite consistent with the most perfect truth, and you have misquoted him; I leave it to you, as a just and honourable person, to do him justice; he has only his character to depend upon for his success in life.

The introduction of Moogajee's name, in the explanation given to you, was perfectly and mischievously gratuitous, done with the view of implicating me; it would have been sufficient to have said that Ladcoba was deputy accountant at the residency, and had been appointed by me; where was the necessity of introducing Moogajee's name, who had only visited Baroda for a short time, 14 months before the dates of the transactions on which the explanation was required. It is strange that this circumstance did not strike you as suspicious.

The assertions made of my having taken Moogajee with me in my carriage, and sat with him by my side when driving out, are so utterly and maliciously false, that no one but an incarnation of the father of lies would have invented them; I never in my life have so condescended and committed myself with any one in Moogajee's position; I do not think that we were ever seen together in public; I once, when he first came to Baroda, lent him my bullock-cart, unattended with a peon, to go into the town to visit Meer Surfraz Allee, and the goomastas of Atmaram, Bhookun's branch firm; I do not remember having ever shown him any other mark of regard.

I hope soon to receive Baba Nafra's explanation, promised in your note of the 19th instant, and trust that it will be a true one; I see, from the accompaniments to yours of the 16th, that the sum now standing to Ladcoba's name is only 100 rupees, for which, if correct, I dare say he will be able satisfactorily to account: I know that shortly before I left Baroda, his nephew Mancoba was living with him, and gained a livelihood by writing for poor Jermyn, Adjutant of the 2d Grenadiers and Natives; perhaps this 100 rupees were paid on his account.

24 August 1850.

This morning a note was received from Ladcoba, stating that he had a slight acquaintance with Baba Nafra's son, Anna, who wanted him L. to teach him English, which however L. declined. Ladcoba had allowed Mancoba to copy some papers for Anna, for which he M. was paid, not being in government service; that he L. did not mention this in his first explanation, as he did not suppose it had any connexion with the sum of 3,100 rupees he was to account for.

As I have at present nothing tangible to take hold of, the explanation of the memorandum of accounts you first sent having been drawn up by one person only, I beg to be furnished with the depositions, on oath, of the persons who gave the separate items of the information therein contained, and their proofs, also a summary of the grounds on which you consider Ladcoba and Moogajee guilty, as I cannot gather any thing connected from the separate papers you have sent me. For my own safety I shall probably be compelled to submit all that has passed between us to Government. To Willoughby I have already sent privately copies of the former letters exchanged between us, and translations of the enclosures to your first note.

I am, &c.
(signed) *W. C. Andrews,*
Late Acting Resident at Baroda.

F.

My dear Andrews, Baroda, 31 August 1850.

Appendix, No. 6.

In accordance with the desire expressed in your letter, dated 23d instant, I now forward copies of depositions of some of the persons who gave the information contained in the memorandum I forwarded with my first note, numbered 1 to 12, also a list of all the persons who were present, 18 in number, the remainder of whom can also be examined if you wish. Much more was said among them, at the time, regarding the woman, Moongagee riding in your carriage, &c., but I put a stop to the gossip of that nature, and told Sumbooram, who drew up the memorandum first sent to you, that there was no occasion to enter any thing of that nature, desiring him to record in his memorandum only what would enable you to understand the sowkars' opinion as to the nature of the document which had been found, and the causes for supposing Ladcoba, Moongajee, and the woman, had taken your name.

From these depositions you will see what transpired before me on finding the papers, though the deponents purposely evade stating much that passed among them regarding Moongajee riding in your carriage, the woman, &c., on which subjects I have not questioned them, however, as it is evident, from what you tell me, that the "riding of Moongajee in your carriage" is sheer invention, in which, however, they were supported at the time they stated it by Sumbooram, who, being an officer of the Durbar accustomed to come to the residency, it never occurred to me could have been mistaken in a matter which was not unlikely to have occurred with any gentleman; for, as Moongajee holds a high office which entitles him to be received as a gentleman, there was no reason why he should not be allowed a seat in a gentleman's carriage, provided the gentleman had the high opinion of him which you was represented to entertain.

That circumstance which was stated as a fact is evidently false, and of course every thing else

else reflecting in any way on you is so; I have no doubt, likewise, and it was to evince my indignation and my confidence that you would share in that indignation at any one supposing that such people as Moongajee, Ladcoba, and the woman, could have corrupt influence over you in any way, that I directed Sumbooram to make the memorandum for your information of the substance of what they had stated, and I at once enclosed it to you, assuring them that you would soon bring the parties to punishment who had thus misrepresented their influence with you. It was to this memorandum that I affixed my signature, which you style "sanctioning a malicious libel by my official signature." I beg to protest against any such meaning being attached to the circumstance. Was I to permit what had been said to pass unnoticed, and thus leave these people to suppose that I could entertain for an instant the idea that there was any ground for the surmises, which it was evident, from what had transpired, were entertained by them as to the object with which the sums noted in this secret memorandum had been paid, the course I adopted at once showed them that I was confident your name had been abused by the people who had taken the money, for that the money had been taken by Ladcoba and the woman not a single doubt appeared on the mind of, or was expressed by, any one of the persons present, who were so well able to understand the real meaning of the document which had accidentally turned up.

I had no reason to doubt then that such was the meaning of the entry, nor have I now, nor do I believe any sowkar at Baroda has any doubt of it, but the proof that the money was actually given to Ladcoba is another matter, and could only perhaps be obtained through Baba Nafra and his son Anna, who are not of course likely to divulge the fact, and have heretofore, I am told, refused any replies to the queries put to them by the Durbar on the subject.

You understand the term applied to the woman differently to what the sowcars here do, who, when all were afterwards assembled here, on an inquiry into the meaning of all the suspicious items found in the chopras, and asked what it meant, replied that it was applied both to kept women and to married women, but that, in the latter case, where the husband was respectable, "sahib" would be added. With respect to your observation, that "the entry regarding the woman, which in the original I see is erased, though this was not shown in your copy," I assure you if it was not represented in the copy exactly as it is in the original, it is entirely the fault of the carcoon who wrote it, for I directed him to make an exact copy, and it was given me as such. I have now questioned the native agent on the subject, who declares that the copy sent to you was exactly the same as the original, that a stroke was run through the words you refer to exactly in the same manner (not an erasure, but leaving the word legible as in the original), and he produced a copy which was taken at the same time for the office, in which it is so represented.

From a perusal of these depositions, you will see that "the stubborn fact of the discrepancy of the dates," which you say should at once have induced me to reject the explanations given me as "base libels," was by no means overlooked by me, for I pointed out the circumstance, and asked how, as you had left Baroda, could the interest of those supposed to have influence with you be sought by people here; in answer to which it was then intimated, much more distinctly than they have chosen to express in their depositions, although therein it is sufficiently indicated, that it was supposed their influence was sought with reference to a case of importance about to come before you at Surat, alluding to, as I was afterwards informed, the dispute between the Nuwab and the Bukshee.

I cannot admit that I have displayed the want of judgment and penetration which you are pleased to attribute to me in this matter, and I only hope that all friends of mine will act by me as I have done by you, whenever they find my honour, or that of those in whom I placed confidence, questioned, whether directly or indirectly.

As to Baba Furkey, or any one else, having advised me on this occasion, or the circumstance having arisen out of the machinations of any one, you are quite mistaken. I have shown that the disclosure of the document was accidental, when persons adverse to, as well as in the confidence of Baba Nafra, were present at the examination of his private and public papers; and so far from Baba Furkey having had anything to do with the business, he has not once been admitted by me to the residency, or to a personal interview with me anywhere else, since my return from Egypt.

I have already answered your query as to the case of Surat, to which I alluded in my former letter, and also as to the stage in the proceedings in which I discovered this, which, moreover, the depositions clearly show as to the "connexion of the parties therein with Baba Nafra, or the firm of Hurree Bugtee," that I have not attempted to trace, nor is it likely to be traced, unless Baba Nafra himself chooses to disclose the fact. All that I had to do was to furnish you with the grounds which existed for supposing that certain persons had obtained money, by leading others to believe that their influence with you would be beneficially exerted on their behalf.

You say, "with regard to Moongajee being devoid of truth, as you assert, if you turn to his letter, to which you refer, you will observe that you have again done him injustice; his guarded language regarding his connexion with Ladcoba is quite consistent with perfect truth, and you have misquoted him." On turning to his letter, I find he thus expressed himself: "Ladcoba is not my sister's son, nor is he related to me, either on the paternal or maternal side." My words were, "That he is devoid of truth his letter to you proves, as he therein declares that he is in no way related to Ladcoba, well knowing, as he does, that Ladcoba is his uncle (his wife being Ladcoba's father's sister);" now, although I here inadvertently called Ladcoba Moongajee's uncle, instead of nephew, the text, his wife being Ladcoba's father's sister, shows that the latter was meant; assuredly I was right in saying,

that Moongajee had departed from the truth, if not literally, at least morally, in saying that he was "in no way related to Ladcoba," for although not a blood relative, yet, being the husband of Ladcoba's aunt, he was related, according to the usual acceptation of the term, and bore the relationship to Ladcoba which was implied in my first note, to which his is a reply, wherein I allude to him as Ladcoba's "uncle Moongajee." His language is certainly guarded, with a view to shield himself under a quibble; and consequently, little to his credit in my opinion, I enclose a note (No. 1) from Major Brown, on the strength of which I grounded my first assertion as to the relationship of those individuals, in reply to a request I made to him to ascertain the point from a person in the Rewakanta office, who, I had been informed, was intimately acquainted with both parties. That gentleman's words are, "Moongajee's wife is Ladcoba's father's sister, so that Moongajee is Ladcoba's uncle by marriage." On receiving Moongajee's denial, I wrote again to Major Brown, whose second note (No. 2) I enclose, confirming the first. I can, if you wish, furnish other testimony to the fact.

I observe that Ladcoba, in his letter, dated Broach, 12th instant, tries to deny his family connexion with Moongajee by a similar quibble, declaring "I am not bhanej (sister's son) of Moongajee;" but omitting, like Moongajee, to say how he is connected. This similarity of tactics would lead to the supposition that they had been putting their heads together, and that there may be truth in the report current here, that Ladcoba had proceeded to Surat on hearing of his exposure, for the purpose of such consultation. If such is really the case, it would tend to confirm the suspicions of a close understanding between them.

I remain, &c.
(signed) *J. Outram.*

P. S.—On looking over Moongajee's certificates, I find he is only an English writer, instead of the head of the Adawlut establishment, as I understood. In that capacity, of course he could never have been admitted to a seat in a gentleman's carriage.

NOTE, No. 1.

My dear Outram,

MOONGAJEE'S wife is Ladcoba's father's sister, so that Moongajee is Ladcoba's uncle by marriage; no other relationship.

Yours, &c.
(signed) *L. Brown.*

No. 2.

LADCOBA has no relative in my office, but the bearer of this, Ramchunder, my third English writer, knows him well, and says he (Ladcoba) is a relation of Moongajee. I got my information from Ramchunder, and also from a Brahmin named Bhaee Shunker, who has established a Guzerattee school in the bazar here.

Yours, &c.
(signed) *L. Brown.*

G.

My dear Outram, Surat, 6 September 1850.

As you still, as appears from your letter of the 31st ultimo, pertinaciously adhere to your opinion, "that the money was taken by Ladcoba and the woman," I am obliged to refer to you for further information, that the case may go before Government in the most complete manner possible. I request, therefore, that you furnish me with the further information indicated in the accompanying paper. I would also recommend to you a reference to Molesworth's Mahratta Dictionary for the meanings of the designation applied to the woman, as more to be trusted than the probably dishonest, interested and servile natives, whose disposition and character it is to flatter the prejudices, views or wishes of their superiors, without regard to truth.

I return the two notes.

Yours, &c.
(signed) *W. C. Andrews.*

MEMORANDUM of further Information required.

Please,

1st. To state distinctly what sum you believe Ladcoba has received, whether 24,000 rupees, or only 3,100, as it does not clearly appear from your different letters above with what sum you mean to accuse him; also, how far, and in what manner, the woman you allude to has shared in it.

2dly. To

2dly. To forward, by return of post, extracts from the Ledger Book (of Pursotum Runchor) of the entries corresponding with those of the Journal, of which an extract has already been sent here; also, extract from the books of other different parties, to whom some of the sums are debited.

3dly. To state distinctly whether you have anything further to say in support of your belief that the money was received by Ladcoba and the woman, than what you have already said in your several letters, and to reserve nothing to be revealed afterwards.

4thly. To forward at once, by return of post, all the proof you have to adduce to bring home the charge against Ladcoba and the woman; or, if you have proof of no other description than the surmises of different persons that you have forwarded in writing with your second, third and fourth letters, to state distinctly that you have no further proof to adduce; also, what proof these deponents can show, beyond the assertions founded on mere conjectures that are contained therein.

5thly. To state more distinctly than you have done in your last letter, where, when, and by whom you were first informed that this transaction had reference to a case that was about to come before me in Surat; and where, when, and by whom were you afterwards informed that the affair alluded to was that of the dispute between the Nuwab and the Buckshee, and for which party it is supposed that the money was paid.

6thly. To forward the deposition of your native agent, on solemn affirmation, whether Baba Fudkia is not constantly in the habit of seeing him at his quarters, or in the cantonments, and whether or not he held any communication with Baba during these proceedings.

7thly. To state distinctly all the information that Sumbhooram gave you, as from his personal knowledge in this case, from the commencement.

8thly. To state clearly the name of your informant of the particulars set forth in the first memorandum you sent me regarding the woman alluded to therein, and obtain from him the date on which she is said to have been dismissed by me for misbehaviour.

Surat, 6 September 1850. (signed) *W. C. Andrews.*

H.

My dear Andrews, Baroda, 10 September 1850.

I RECEIVED your note of the 6th the day before yesterday, and as you were anxious for a reply by "return of post," I immediately sent, though Sunday, to the Durbar for attested extracts of the chopras you required, together with a request that Sumbooram might be sent to me for the purpose of taking his deposition. I obtained the extracts (herewith enclosed), attested by two sowcars in presence of his Highness (too late in the evening to despatch by that day's post), and an intimation that Sumbooram would attend early yesterday; I therefore intended sending the extracts with his deposition yesterday, but he did not come till late in the afternoon, when I took his deposition on oath, too late for the post, which is the reason they are only now sent, together with the deposition on oath of my native agent, taken yesterday, and the chopra extracts; also the further examination of the residency moonshee, taken to-day, in consequence of Sumbooram's assertion that he was the informant regarding the woman. You ask me to "state distinctly what sum I believe Ladcoba and the woman to have received, whether 24,000 rupees, 21,000 rupees, or only 3,100 rupees." On this and every other subject I have already given you all the information I possess; for of course I reserved nothing to be revealed afterwards, neither have I anything further to say "in support of my belief that the money was received by Ladcoba and the woman" than what I before said, which was this: Appendix, No. 6. Appendix, No. 7.

"That the money had been taken by Ladcoba and the woman not a single doubt appeared on the mind of, or was expressed by any one of the persons present, who are so well able to understand the real meaning of the document which had accidentally turned up. I had no doubt then that such was the meaning of the entry, nor have I now, nor do I believe any sowcars at Baroda has any doubt of it; but the proof that the money was actually given to Ladcoba is another matter, and could only, perhaps, be obtained through Baba Nafra and his son Anna, who are not of course likely to divulge the fact."

You ask me to "state more distinctly than I have done, where, when, and by whom I was first informed that this transaction had reference to a case that was about to come before me in Surat, and where, when, and by whom was I afterwards informed that the affair alluded to was that of the dispute between the Nuwab and the Bukshee."

The depositions which I formerly sent you, and those which I now send, answer the first part of your query, so far as to the when, the where, and by whom the allusion to Surat first arose, *i. e.* when the paper was first found in the room of the residency, which is my public office; and by several of the goomashtas, in reply to my question, I believe by almost every one, but at any rate by those who admit the fact in their depositions. And, in answer to the latter portion, I tell you that next day, when nearly the same people were assembled, I asked the goomashtas what case of any importance was pending when you went to Surat; when, among them, they mentioned that the dispute between the Nuwab and the Bukshee was going on. I asked nothing further, and was told nothing further; and this being a mere matter of fact, as to what case of importance was going on at a particular time, which could be substantiated at any time, I did not mark particularly what individuals gave the information; nor was it necessary that I should do so, for the question

was not put to any particular individual, but to the people generally, and the information was elicited from their general conversation.

But that was the extent of the information given; a supposition that the money must have been given with reference to a very important case at Surat. I did not say that I was "informed that this transaction had reference to a case that was about to come before you at Surat." My words, in my letter of the 15th ultimo, were, "neither was it supposed to have any connexion with the latter (Baroda), but with a very important case at Surat, &c." And in my next letter, I thus alluded to the subject: "It was then intimated much more distinctly than they have chosen to express in their depositions, although therein it is sufficiently indicated that it was supposed their influence was sought with reference to a case of importance about to come before you at Surat, alluding to, as I was afterwards informed, the dispute between the Nawab and the Bukshee." I believe that almost every man present was more or less concerned in proffering verbally their supposition that the money must have had reference to Surat affairs, and in afterwards volunteering, verbally, the information that the Nuwab's case was then pending; but of course they were less explicit in their written depositions, lest they should be called on as witnesses.

In reply to your last question, I informed you that the residency moonshee was the informant regarding the woman alluded to in the first memorandum I sent you. He evaded the subject in his first deposition; but on now being taxed by Sumbooram with having been the informant, a fact which I have no doubt all the other natives present could depone to if they chose, he admitted that he had been so. I did not observe your calculating query, or rather had forgotten it, as to the date on which the woman is said to have been dismissed, when his deposition was first taken; but he was afterwards recalled, when the supplementary question was put to him, which you will see attached to his deposition.

As you made official use of my first private letter, I trust you will hand up copies of all my letters entire, should you report the case to Government.

Yours sincerely,
(signed) *J. Outram.*

J.

My dear Andrews, Baroda, 11 September 1850.

I YESTERDAY forwarded the native agent's deposition regarding his intercourse with Baba Furkia, the object of your requiring which is evidently to ascertain whether I had any intercourse with that individual through him, in support of your insinuation in a former letter, that Baba Fudkia had been my adviser, notwithstanding I had assured you "as to Baba Fudkia or any one else having advised me on this occasion, or the circumstance having arisen out of the machinations of any one, you are quite mistaken; I have shown that the disclosure of the document was accidental, when persons adverse to, as well as in the confidence of, Baba Nafra, were present at the examination of his private and public papers; and, so far from Baba Furkia having had anything to do with the business, he had not once been admitted to the residency, or to a personal interview with me anywhere else, since my return from Egypt."

2. The only other channel through which I could possibly have communicated with Baba Furkia is Mr. Hykoop, and although the disclaimer previously given by me, as to having been influenced in any manner by that person, is and ought to be quite sufficient; still, as I do not choose that any room should remain for you or any one hinting that I might have had indirect communication with the man, regarding the Ladcoba business, I called upon Mr. Hykoop to state whether or not any such communication had ever passed through him. His reply I append; and to this I now add my distinct declaration that Baba Fudkia never has communicated with me, directly or indirectly, on the subject.* This I state without making the same demand for replies to queries of my own that you indulged, in reference to my supposed informants; but you will not, I suppose, object to answering the following somewhat analogous questions:—Have you held communications or consultations with Gunnesh Punt, Nursoo Punt's son, and Moongajee, regarding this matter, either collectively or singly, and frequently or otherwise? And, was Ladcoba called to Surat, or did he make his appearance there, between the date of my first communication to you and that of his letter to your address, dated Broach 12th August, and if so, had he any personal communication with you, or indirectly through others? I put this question, because it has been mentioned to me by a person who I cannot name without his own consent, having been stated confidentially that consultations with these people had been frequently held by you, with a view, my informant supposed, to defeat inquiry, though I assured him that he might rely on it, if you were a party to the said consultations, it was to promote, and not to defeat, investigation; and I am particularly anxious you should enable me to disabuse the mind of my informant and those who may think as he does, for a painful and painstaking examination and reduction of the residency records for the last 15 years has satisfied me that much of the notorious corruption of the native political establishments of Guzerat—much of the facilities given to extort money in the form of bribes—much of the disbelief of the integrity of British officers, and much of the belief in the "efficacy of khutput made in Bombay," may be traced to the erroneous and calumnious interpretations put by the natives on interviews and communications similar to those with which it is believed you recently favoured Moongajee, &c. These misinterpretations are, of course, first started by the guilty parties, with the view of deterring any one from giving criminatory evidence against them; they are readily believed; and

* Para. 3.

and thus is corruption fostered under the idea that it is the wish and interest of British officials to prevent its exposure, and to effect the punishment of all who have any share in the exposure. Could you, my dear Andrews, be as thoroughly, as deeply, and as humiliatingly impressed with this as a three months' anxious study, collation, and arrangement of the residency records has caused me to be, you would, I am sure, appreciate the feelings that have prompted me to put these queries, and which irritate and distress me so much when I find the honoured names of upright and distinguished officers so foully, yet so confidently, coupled in native estimation with proceedings they abhor and despise. After what I have already said, I need not assure you that Baba Furkia was not my informant, nor did the information come from him, directly or indirectly, to my informant, with whom he could not possibly have any connexion. I say this again, because I suspect that unfortunate man is now undergoing persecution in consequence of his supposed connexion with this exposure of Ladcoba, a charge of bribery having lately been brought against him by a chieftainess of the Rewa Caunta, supposed to be indirectly instigated by Nursoo Punt's son, who, of course, acquired influence in that quarter when so recently native agent there. It certainly appears strange that the charge should first be brought against the man at this particular juncture, after being so many years out of office and out of favour, when the accused could have had no fear of appearing against him. With* regard to the expressions in your last note (6th September), "more to be trusted than the dishonest, interested, and servile natives, whose disposition and character it is to flatter the prejudices, views, or wishes of their superiors, without regard to truth," I have to observe that, as you had previously been told, the explanation of the meaning of the designation applied to the woman, was that of the sowcars of Baroda, "when all were afterwards assembled here, and asked what it meant." Those sowcars, so far from being likely to have any desire to flatter any prejudices, views, or wishes (to which, I presume, you point), were compelled to attend at the residency, much against their will, to pass their opinion on all the suspicious items found in the chopras, to the exposure of which one and all were, of course, at heart, averse. As to my prejudices, views, and wishes, I readily avow that I have the strongest possible prejudice against the bribery and corruption which have so long prevailed at Baroda, and which have led to the iniquitous prostitution of the names of high-minded and honourable British gentlemen, who have been represented as the recipients of the monies obtained by unprincipled native blackguards, male and female. I readily avow that my views and wishes are to uproot bribery and corruption, and, with the blessing of God and support of Government, I hope to do so. And, in such prejudices and such resolves, I feel very certain no one will sympathize with me more than yourself, no one give me a heartier "God-speed:" and knowing and believing this, I cannot tell you how I have been hurt at the tone of your correspondence, conscious as I am of having only acted towards you that friendly part which I should have looked for at your hands, had it come to your knowledge that my name had been falsely and calumniously mixed up, by unprincipled people, with questionable transactions. Your tone would lead an unconcerned reader to fancy that I had been your accuser, instead of the indignant repudiator of allusions made by others—that I had sought out and sanctioned charges against you, instead of warmly expressing displeasure that any one could for a moment believe that any mingling up of your name was not a foul prostitution of it by base men, for base and selfish purposes; a prostitution of it which I thought it my duty, as a friend and as a fellow countryman, to make you aware of, that you might seek out those guilty of it, and have them punished.

* Para. 4.

Should you send our previous correspondence to Government, you will of course submit this at the same time.

Yours sincerely,
(signed) *J. Outram.*

Enclosure to the above.

Sir,

AGREEABLY to your orders, directing me to state what I have ever communicated to you from Baba Furkia, and particularly whether any communication has ever been made by him, through me, to the Resident, respecting the money said to have been paid to Ladcoba, I beg to state that, after you resumed charge of your appointment here, you desired me to obtain certain information respecting Baba Furkia's services in the Rewa Caunta, when making your report, in answer to your written queries, whose reply was duly communicated to you in writing, but I had no conversation with him regarding the yad of 21,000 rupees, concerning Ladcoba, which was found in the private dufter of Baba Nafra, when under examination at the residency.

I remain, &c.
Baroda, 11 September 1850. (signed) *A. Hykoop.*

K.

My dear Outram, Surat, 12 September 1850.

THE extract from accounts sent with your letter of the 10th instant, is not what I want, it is a copy of the extract from the "Averah books." I asked for extracts from the ledger

or "khatta vuhee," corresponding with the extract from the journal which you had already forwarded. I should be glad if you can procure me for inspection the original journal and ledger containing the entries in question. I wish also for extracts from the accounts of the parties, to whom several of the sums are debited in Baba Nafra's yadee of accounts, as requested in my 2d query. I wish to know from you distinctly whether or not you still suspect or accuse Moongajee, and that you will take Sumbooram's statement, on solemn affirmation, of the circumstances he told you, regarding Moongajee's driving in my carriage with me, or his acknowledgment in writing of their falsehood. His deposition sent by you is entirely silent on the subject; you will also oblige me by putting the same questions to him as were put to your native agent, regarding his intercourse with Baba Furkia, and take his answers thereto on solemn affirmation, and ask him, what, if any, connexion exists between them. The chopras could be despatched by a horseman or by bangy dawk; of course, if I submit this correspondence to Government, it will be sent entire.

Yours, sincerely,
(signed) *W. C. Andrews.*

L.

My dear Andrews, Baroda, 16 September 1850.

I COULD not get hold of Sumbooram to take his deposition which you wrote for on the 12th, until this afternoon, I now send it. He could have no common interest with Baba Furkia in this or any other matter, for they are bitter enemies. Besides, as I told you, the paper which implicates Ladcoba & Co., having accidentally come to hand, could not possibly have been framed in consequence of any machination.

You also "wish to know from me distinctly, whether or not I still suspect or accuse Moongajee." I have already told you, that I am not the accuser of any one; I have placed before you the grounds on which the persons mentioned in my first note are suspected of having obtained money by representing that they had influence with you. The suspicion is strong, from the circumstantial evidence of the paper, that money to a large amount was obtained by Ladcoba, although, as I said before, it can only perhaps be proved by Baba Nafra himself; and the evident belief of the people, who were present when the paper was found, certainly was, that Moongajee was Ladcoba's coadjutor on the occasion. This belief was spontaneously displayed, and was too evidently believed by the persons then present—a class of persons not likely to be easily deceived in such matters, and who could have had no motive for bringing forward Moongajee's name had not there been good ground for their suspicions—to leave much doubt in my mind that Moongajee had purposely led the people of Baroda to believe that he had undue influence with you, and that, whatever money had been obtained by Larcoba under that impression, was duly shared by him (Moongajee); nothing that has since occurred has tended in the slightest degree to remove my suspicions of Moongajee's foul play towards you, and I trust that, sooner or later, the truth will come to light; and you may always rely on my aid to elicit it.

Of course the sowcars object to send their chopras to Surat, but I have, I think, obtained attested extracts for you of all you want.*

Appendix, No. 9.
* Forwarded with official, dated

You may not be aware that Purshotum Runchore, and Narrain Runchore, are brother and son of Baba Nafra. The entries in their chopras are evidently fictitious, for the understanding of the family alone, as stated in the replies of the sowcars formerly sent to you, and to conceal the real party to where the payment was made. The fictitious nature of these entries are transparent, for instance, in the daily cash account (rojmail) of Purshotum, for Sumvut 1903, 18,000 rupees have been debited as follows:—

	Rs.
Jest Vud, 7th	12,000
„ „ 5th	2,000
Ussad Sood, 9th	4,000
TOTAL	18,000

Now, the last item, 4,000, although said to have been paid in Assad, is debited in the accounts of the previous month of Jest, to make up the item of 18,000, it being contrary to sowcarry practice thus to mix up the accounts of two months.

Again, the entries in the rojmail, or daily cash account of Purshotum, do not agree with the "owra" or monthly account, of the same person, which they ought to do, as the latter is framed from the former; thus, in the daily cash account, 18,000 rupees have been debited in a single item, and in one month, whereas, in the monthly cash account, this amount has been debited in two items, and in different months, *i. e.* 2d Jest 14,000, and Assad 4,000; moreover the 500 rupees put down in Purshotum's rojmail, as paid to the goldsmith, is not to be found in his (the goldsmith's) account, as you will observe from his deposition herewith sent; and the item of 12,000 rupees, attempted to be accounted for by the similar sum credited to Narrain Runchore in the owra of Samuldass Bhugtee, is proved to have no reference to the item embodied in the 18,000 rupees, as it is not credited in Hurree Bhugtee's accounts for 1903. Again, in the accounts of Hurree Bhugtee and Samul Bhugtee, for 1903, the item of 100 rupees, debited in the chopras of Purshotum Runchore to Hurree Bhugtee, on 2d Jest Vud 13, does not appear credited.

Appendix, No. 9.

These

These are some of the most obvious proofs of the falsehood of the accounts prepared to conceal the real destination of the 24,000 rupees, but sowcars could point out to you many others. which do not at present occur to me.

Yours sincerely,
(signed) *J. Outram.*

M.

My dear Outram, Surat, 18 September 1850.

With reference to your letter of the 11th instant, I beg to assure you that my object in requiring your native agent's deposition regarding his intercourse with Baba Furkia, was not, as you suppose, to ascertain whether you had had any intercourse with that individual through him, but merely to ascertain the fact stated in the query, as I thought he might have had intercourse with him quite without your knowledge; I had no ulterior object therein, your disclaimer as regards your non-intercourse with Baba Furkia was quite sufficient for me.

I have not the slightest hesitation in replying to your queries; with Gunesh Punt I have not had the slightest communication on the subject, with Moongajee and Nursoopunt's son I have; Moongajee is an accused party, and as such, has a right to know everything that is going on. Nursoopunt's son is here with the young Raja of Bansda, and is of course constantly with me about the young Raja's affairs, and as being an intelligent person, well versed in the mode of keeping Mahratta accounts, I take advantage of his presence and consult him regarding those you sent to me; I have, from experience of him, a high opinion of his integrity, and I have sometimes consulted him or Moongajee when they have both happened to be with me together.

Ladcoba did not appear at Surat until long after the despatch to you of his letter of the 12th August last, nor was he sent for. I have been all along aware of the connexion existing between Ladcoba and Moongajee, there could not have been any sinister object, therefore, in their answering the charge of their relationship in the manner they did. They honestly confined themselves to denying the degree of relationship in which they were said to stand to each other, and the manner in which they did so, naturally implied that they were in some other way connected.

I have no desire, my dear Outram, to defeat inquiry, I wish to encourage it in a right direction, as I am satisfied that that is the only way to clear myself, Moongajee and Ladcoba, of what I am persuaded are utterly groundless charges, founded on false interpretations and constructions of an erased item in an account, and infamous falsehoods. The only item standing against Ladcoba is one of 100 rupees, of which, to my mind, he has given a satisfactory explanation; you have not, I can assure you, mistaken my character, as could be shown in several instances during my course of service, but it is equally a characteristic of my conduct to shield those whom I have long known as persons of tried integrity, against charges as unsupported by a tittle of credible evidence as those brought against Moongajee and Ladcoba. My experience in the service has satisfied me of this, that there can be few measures more injurious to the interests of Government, as being calculated to lower the respectability of our native service, than to accuse on light and insufficient grounds parties whose honour and integrity have been tried and proved throughout a long period of service, and which have obtained for them the esteem of their superiors, men of undoubted talent and discrimination. To accuse such men, except on the most convincing and irrefragable proofs and facts, is, I think, a fatal error, and against such accusations, against such characters, I will always set my face; with the sentiments you express, and in which I fully sympathize with you, regarding your abhorrence of knavery and knaves, I am indeed astonished at your support of Baba Furkia, a man of whose untrustworthy character there is not a doubt entertained by Government, or any one who had an opportunity of forming a judgment of him. How inconsistent do our prejudices make us, and how do they warp our judgments!

On the one hand you have encouraged the most baseless charges of corruption against parties whose integrity has never been permanently impeached, and which are evidently as unsubstantial as any phantom that ever haunted a diseased imagination; while, on the other hand, you discredit imputations of knavery which have been substantiated to the satisfaction of Government, and others of as much discernment as you lay claim to.

As I have before said, I accept your assurance of a friendly disposition towards me, but I must confess that I wish I could find a greater proof of this disposition than is at present observable in your proceedings. In the first place, you left me wholly in the dark on the only point that could have connected me with the alleged bribes; your first note and copies of the memorandum of accounts, and Sumbooram's yadee, were calculated to mislead me into the belief that the items found in the memorandum of account were connected with Baba Nafra's or Hurree Bhugtee's affairs. They made no allusion to other supposed matters, and as the strange discrepancy of the dates struck you at the time, as you say, as perfectly irreconcileable with the charges founded thereon, and led you to make inquiries thereon, it is most surprising to me why that inquiry and its result were not communicated in your note, or the yadee, which, from its style, appears to be a record of the result of what inquiries were made at the time, or that they should not have been in any way alluded to therein; this is most incomprehensible to me, and as the case now stands, there is to

my mind a painful discrepancy between your first note and the yadee, and your subsequent assertions regarding your inquiries about the dates at the time, which I shall be glad if you can consistently clear up. In the second place, I would observe on the ready manner in which you appear to have adopted the vague and inconsistent explanations given you to account for the discrepancy of dates, so utterly contradictory and worthless as they were. A friend would have spurned them with disgust, at least I should have done so, had I been acting as you profess to have acted towards me; and had the indignation been shown as well as felt, the false constructions of words, and far-fetched, unwarranted and infamous conclusions drawn therefrom, could never have been hazarded.

To satisfy you regarding the degree of confidence which can be placed on your native agent, I return you for inspection the copy of the memorandum of account sent with your first note, having taken the precaution of having it examined by Mr. Glyn, lest it should be tampered with in your office.

With reference to this memorandum, and to the second, of the "notes on the discrepancies between it" and the public chopras of Baba Nafra, "forwarded with your letter of the 16th August last," and to the observations you made in your letter of the 31st idem, I would take this opportunity of correcting an error in the second note. On reference to the enclosed copy of the yadee, you will observe that "Sahib" is not affixed to Anna, as stated therein, any more than "Sobhaywuntee Bhye," while in the chopras, the term "Sahib" is affixed to both; what else is to be concluded from this fact, but that the private memorandum was written in a familiar style, while in the chopras the entries were as usual made in a formal manner? I know not. On this point, to which you attach so much importance, you must have been wilfully misled.

This supposition is strengthened by the fact of the verb agreeing with its nominative, and is in the third person singular instead of the third person plural, which it would have been according to the idiom of the native language, as indicative of a respectable person, if it had not been a private or familiarly worded paper.

I have thought it right and fair to inform Kessowrow (Nursoopunt's son) of your insinuation regarding him in connexion with the complaint made against Baba Furkia. He entirely denies its truth, and will write to you direct on the subject.

Appendix N.

Yours, &c.
(signed) *W. C. Andrews.*

P.S.—I am in daily expectation of receiving the account books requested in my letter of the 12th instant.

N.

Sir, Baroda, 21 September 1850.

I HAVE received your letter to my address, dated 18th instant.

In that letter you have, in more than one passage, presumed to accuse me of disingenuousness, and such a charge no man shall bring against me with impunity. I have, therefore, to request that you forthwith withdraw it, and apologise adequately for having made it. Should you decline to comply with this demand, I shall feel it my duty to submit the whole of our correspondence to the Bombay Government and the Court of Directors, with a statement of the circumstances out of which it has arisen, and such other elucidatory remarks as may appear to me requisite for placing the whole affair before them in clear and intelligible light.

I shall solicit their decision as to whether my conduct throughout has not been straightforward, honest and friendly; whether, had I acted otherwise than I did, I should not have been false, both to you and to them; and whether I have deserved either the inferential reproaches and sneers contained in your foregoing letters, or the more open accusations dealt forth in the communication under acknowledgment.

Under these circumstances, I might fairly be excused from entering into any of the subjects adverted to in that communication, but I wish to refrain from aught that might be construed into discourtesy, and shall therefore offer some few explanatory remarks.

In the first place, I once more, and once for all, and that in the most emphatic manner, repeat, that I never, at any time or in any place, either preferred or encouraged charges against you of any kind whatever.

In the discharge of a public duty, I caused certain bankers' books, and the private papers of a man under accusation, to be examined. In the course of the examination, a paper came to light, which caused a commotion among the examiners. I inquired what the paper meant, and received for reply, that it contained entries of sums of money given to certain parties, one a servant of Government, supposed to have influence with you through a relative known to enjoy your confidence, the other a prostitute living under your protection.

And it was indicated to me that these sums of money had been given with a view to obtain from you, through the instrumentality of the recipients, a decision different from that which your unbiased judgment might have dictated.

That you were amenable to such influences was a dishonouring idea I never for one moment entertained; but that you were supposed to be amenable to them by the assembled

sowcars

sowcars was evident from their titterings, their looks, and their remarks. I expressed myself indignant at their believing that you, or any British gentleman, could be capable of yielding to any considerations, save the claims of truth and the dictates of justice; and it was precisely because I was sincere in what I said, and because I was your friend, and sensitive of the British honour, that I did not adopt the very foolish course you imply I should have practised; viz. to let my indignation be shown in such a way that "the false constructions of words, and far-fetched, unwarranted and infamous conclusions drawn therefrom, would never have been hazarded."

By doing this, by terrifying the sowcars, or ordering them to hold their peace, and not thus unjustifiably to take your name in vain, I perfectly agree with you that I should have effectually prevented their again alluding to this or similar matters in my presence; and had I believed you guilty of yielding to irregular considerations, and had I at the same time thought only of your individual interests, I should undoubtedly have pursued such a course.

But I believed you incapable of such conduct; and, as the best method of satisfying the natives of this place that they had grievously mistaken your character, I hastened to apprize you of what I had every reason to believe was a foul abuse of your name. My suspicions might have been right, or they might have been wrong; but the guilt of the parties indicated to you was not a matter of *à priori* improbability. That these parties had received money was a point that seemed to admit of little doubt; the money in question had been received from a house notorious for its foul profligacy and habitual attempts to pervert justice; one at least of the recipients of the money was a person supposed to be on peculiarly intimate terms with you, and the object of its bestowal was clearly believed by those around me to have been the effectuation of a particular end, through the influence one or both of the recipients were supposed to exercise over you. When these circumstances are borne in mind by Government and the Court of Directors; when the systematic and deep-rooted corruption of Baroda is taken into consideration; when the flagrant attempts that have of late years been made to bribe even the Government itself are called to recollection; and when it is remembered that those who have undertaken the office of irregularly influencing the authorities have been men supposed to enjoy their confidence, and who have appropriated to their own use what they have pretended to bestow on their superiors, I do not believe that I shall be considered to have betrayed "a diseased imagination" in having thought that the native servant and prostitute adverted to might have accepted the money, under the pretence of influencing your decision. And when due weight is given to the fact, that Government have recently had occasion to issue a circular, seeking counsel as to the best means of uprooting the prevalent belief in the efficacy of khutput; when it is known how firm, up to the present day, is the belief at Baroda that men high in office are accessible to bribes; when all these matters are considered, those to whom my appeal lies will, I doubt not, decide that, had I followed the course you have indicated, had I scowled down the dishonouring belief, instead of seeking your aid to demonstrate its falsity, I should have pursued a course inconsistent with the interests with which I am entrusted; inconsistent with the duties I owe our common masters; inconsistent with those I owe the moral dignity of our common country; inconsistent with real friendship to you; and equally inconsistent with straightforward gentlemanly action. It would have only tended to impress the natives of this place with the idea that I shared their own opinions, though I had reasons for forbidding the utterance of these opinions.

I therefore adopted towards you the course I could wish you and every other friend to observe towards myself, under similar circumstances. I wrote to you regarding what had occurred, and I forwarded to you a copy of the document that had been discovered, together with a statement of the opinions of the natives present, regarding it; and, when I did so, I never doubted that you would, with unfeigned gratitude, thank me for the disclosure, and entreat me (as, under like circumstances, I should have entreated you,) to aid you to sift the matter to the very bottom, and to expose and punish the parties who had led to so unworthy an association of your name.

Your conduct was, however, very different; instead of gratitude, you displayed an unaccountable irritation, and you at once assumed the innocence of those whom I suspected to be guilty of misusing your name; and not only did you instantly declare your belief that an indignant denial would be their only reply to the charge, but you have, from the very first, in a manner that I cannot comprehend, identified your cause with theirs, as though their guilt implied your complicity, and you have continued to address me as though I had put you on your defence, instead of expressing, as I did, a friendly concern lest the objects of your present powerful and eulogistic advocacy had played you a treacherous and rascally trick.

Persisting in this (to my seeming) extraordinary tone, you now complain that, in a private letter, written on the spur of the moment, in the presence of the sowcars, and out of the purest friendship to yourself (in order to show these very sowcars how deeply genuine was my conviction of the foul injustice they did you), I failed to make out a formal statement of the matter, entering into it with judicial minuteness. When I wrote that letter I thought I was addressing one whose blood would boil, as mine had done, at the very mention of the suspicions here entertained, and who, instead of assuming that an indignant denial would have been the sole reply of the suspected parties, would have set to work to trace the matter to its origin; and, thinking this, I did not consider it necessary to point out that the date of the payments recorded in the memorandum showed that these, though made through Baba Nafra, could not refer to purely Baroda matters; nor did it occur to me as necessary

to enter into particulars either as to the case in which the receivers of the money had been expected to influence you, or to expatiate on the connexion you were believed to have with the prostitute implicated. I thought it unnecessary, inasmuch as you must have been well aware what cases involving the interests of parties at Baroda had come before you, or were expected to come before you, on or about the dates specified in the memorandum, and inasmuch as I was addressing a friend, and acting in behalf of a friend, and one who I thought would have rightly appreciated my friendly services, I told Sumbooram, who wrote the yadee explanatory of what was understood by the sowcars to be the meaning of the memorandum found in Baba Nafra's papers, to confine himself to that point, and to the interpretation put by them on the designations therein employed; I did not think it necessary to mortify you by bringing formally to your notice all that was said regarding the courtezan implicated, or about the alleged fact of Moongajee driving in your carriage. I thought I had done enough to open your eyes to the fact that an improper use had been made of your name, and to induce you to take active and energetic steps towards the discovery and punishment of the guilty parties, and delicacy forbade me to do more.

But your reply compelled me afterwards to reveal what otherwise I should not have mentioned; and, inasmuch as in compliance with your demands for explanations I stated in my second note what a regard to your feelings prompted me to withhold in my first, you have presumed to insinuate that I palter with truth, for such is the only meaning I can attach to your assertion that there exists "a painful discrepancy," and this is one of the charges of disingenuousness which I require to be retracted and apologised for.

Your assertion that I was "wilfully misled," seems to me, if it means anything at all, to mean that I adopted a view of the matter which I had reason to believe was incorrect. I therefore require you to withdraw that expression also, and to apologize for having used it. I do not choose to imitate your style of correspondence, of characterising this and your other charges of disingenuousness, as they deserve either in direct terms or by implication.

You are of course at perfect liberty to form any opinion you choose as to the amount of money received by Larcoba. It is enough for me to say, that in estimating it at 100 rupees, you arrive at a conclusion somewhat at variance with that which the Baroda bankers and myself have adopted.

You have thought proper to accuse me of encouraging "the most baseless charges of corruption against parties whose integrity has never been impeached, and which are evidently as unsubstantial as any phantom that ever haunted a diseased imagination," while, on the other hand, "I discredit imputations of knavery which have been substantiated to the satisfaction of Government and others of much discernment as myself." This is not the occasion to argue with you as to the moral purity of the public servant and the courtezan you so highly eulogize, nor have I any intention of entering on a vindication of Baba Furkia, the individual to whom you seem to refer, for the past character of these parties have nothing whatever to do with the immediate matter at issue, though circumstances may arise to induce me, not for your information, but for the satisfaction of our masters, and to promote the ends of justice, to shed a little light on this point.

As regards Baba Furkia, I shall only observe, that when I relieved you in 1847, I found that he had been refused employment. I took for granted that there were valid reasons for objecting to him, and therefore had nothing to say to him till about two months before my departure for Egypt, when seeing no one else sufficiently free from Nurroo Punt's influence to aid Battye in unravelling the rascalities perpetrated in the management of the Pal's affairs, rascalities to which I had reason to believe Nursoo Punt a party, I was induced to look into the reasons for the disfavour with which he was regarded by Government. I found that the opinion Government entertained regarding Baba Furkia was founded on misrepresentations referrible to the enmity he had excited against himself by assisting Malet in exposing the Magur intrigues in 1837-38, and that no specific charges had been brought against him. I do not vouch for his honesty. I should be very sorry indeed to vouch for the honesty of any native who has so long breathed the corrupt atmosphere of Baroda; but I have reason to know that the insinuations to his prejudice by which it was endeavoured to influence you, and me, and French, against that man, emanated from his bitter enemies, Nursoo Punt and Baba Nafra. No disavowal on the part of Nursoo's son will satisfy me that he is not at the bottom of the charges now brought, at this late hour of the day, against the Baba. But I would as soon think of adopting your high eulogy on the moral character of the parties suspected by me of having abused your name, as I would of screening Baba Furkia from the fullest inquiry into any allegations against him. Were, however, the latter proved guilty of one or a dozen crimes to-morrow, it would in no degree lessen the guilt of other parties accused of different offences.

But in following you into your irrelevant allusions to the past character of individuals, I unnecessarily prolong this letter. It is enough for me to say that you have had every assurance you could want that Baba Furkia had no more to do with the matters that have caused this correspondence than the Governor of Van Diemen's Land, or the President of the French Republic.

The question between us, divested of all its unnecessary complications, stands thus. Has my conduct throughout this unpleasent business been such as became an honest man and a servant of Government in his dealings towards another servant of Government, who was also his friend? Believing that it has, I call on you to withdraw your unwarrantable imputations against me, and to apologise for having indulged in them; should you fail to do so, I shall, as I have before said, solicit the decision of the Bombay Government and the Court of Directors.

In

In reference to the account books which you are "in daily expectation" of receiving, I have already, in my letter of the 16th instant, told you that "of course the bankers object to send their books to Surat," a circumstance which you cannot otherwise than have expected. But as you are in possession of attested extracts, I do not apprehend the absence of the books can put you to any inconvenience.

As regards my native agent, I regret to be obliged to confess that he had been guilty of negligence in the matter referred to, and that he endeavoured to excuse his carelessness on a fictitious plea; two grave faults in a person occupying his position.

As I reported to you on the 31st ultimo, he assured me that the copy of the entry regarding the woman "sent to you, was exactly the same as the original; that a stroke was run through the words you refer to, exactly in the same manner." Now when the copy is procured, which shows no stroke through the words referred to (though the words themselves are the same as in the original),* he admits that he did not himself examine the copy, but that, having directed the carcoon to make an exact copy, he took it for granted that such was sent; and he owns that, when, in consequence of the questions I addressed to himself, he interrogated the carcoon, he was assured that the stroke had not been omitted; however, the original document was long since transmitted to you; I now return the copy.

No considerations of personal convenience will prevent my complying, to the best of my ability, with any further requisitions you may be pleased to make for information, but, warned by the unexpected tone our correspondence has taken, and the style of proceeding you have thought fit to adopt, I have to request that henceforth your communications may be conducted in a strictly official manner, and on the express understanding that they are to be submitted to official scrutiny and application.

I have, &c.
(signed) *J. Outram.*

O.

Sir, Surat, 27 September 1850.

I HAVE received yours of the 21st instant, and, as requested therein, adopt the official style of correspondence.

2. I will reply to that letter when I have greater leisure than I have at present to do so fully, but in the meantime I request the favour of your again sending me the original yadee of accounts found in Baba Nafra's private papers; it shall be returned immediately.

3. Oblige me also by informing me, whether you have yet received any communication from the Durbar on the subject of Baba Nafra's explanation, of which, in your letter of the 16th ultimo, you promised to send me a copy.

I have, &c.
(signed) *W. C. Andrews.*

Lieut.-colonel J. Outram, C. B.,
Resident at Baroda.

P.

Sir, 30 September 1850.

IN reply to your letter, dated 27th instant, I have the honour to inform you, that on Friday last it was intimated to me by the Durbar vukeel, that the expectation which had been held out by Baba Nafra, that he would ultimately make known the real nature of his various secret transactions, was now terminated by his declaring that he would make no revelations whatever. I directed, therefore, that any examinations previously taken, relating to the Larcoba affair, should be forwarded to me for the purpose of being sent to you. They were brought accordingly on Saturday (28th instant), and having been read to me, I requested that the Durbar would finally examine Baba Nafra on Monday (this day), in the presence of your sheristedar and my native agent, who should be allowed to put any questions they pleased to the man.

When I receive the record of this examination it shall be forwarded to you; in the meantime, I send the original yadee of accounts called for in your second paragraph.

I have, &c.
(signed) *J. Outram.*

W. C. Andrews, Esq.

Q.

Sir, Surat, 3 October 1850.

I HAVE received your letter of the 21st ultimo, but for want of leisure I would have replied to it before.

2. I cannot comply with your demand for an apology for the expression "painful discrepancy,"

---

* The erasure was, however, pointed out in the yadee which accompanied the memorandum and my first note.—(signed) *J. O.*

crepancy" used in my letter of the 18th idem, as I am satisfied, from the evident inconsistency pointed out therein, that I was warranted in using it; but at the same time I stated, "that I should be glad if you could consistently clear it up," as it was painful to observe such incongruity in a person whose public conduct I have always regarded with respect and esteem, in a case in which the most perfect accuracy and explicitness were required.

3. It is most unfortunate that you failed in your first note and Sumbooram's yadee to give me even the scanty (though with reference to the depositions you sent to me apparently erroneous) information contained in your subsequent letters, regarding the supposed object of the payment in question, which could alone have given me any concern as regarded Moongajee, Larcoba and the woman, as explained in my first note. Had you been more explicit, much of this unfortunate correspondence might have been saved, as I should have been more excited by your information, and you would probably have had no cause to complain of my lukewarmness in the matter, as you have now explained your reason for that omission, though I confess that I do not fully concur in its sufficiency; I quite willingly and gladly retract the term you complain of, in so far as it implies anything offensive, but I could quite confidently abide the decision of Government on that point; and I have no reason to object to the reference you propose, except as regards my private feelings as a gentleman.

4. I do not myself see what there was in the further explanation contained in your second letter to hurt and outrage my public or private feelings more than they had been by what you had already communicated in your first note and yadee, which seem to have contained every thing except the only essential point, viz., the reconcilability of the date with the supposed object of the payment.

5. I have been advised by intelligent, highly respectable, and independent natives, both Duccanee Brahmins and Goozeratee of respectable classes of society, whose opinions are also supported by the authority of Molesworth's Dictionary, that the term "soobhagwuntee baee" is never applied to courtezan, or a kept woman; I had good grounds therefore for saying that your informants were not warranted in putting the constructions they did on the paper discovered, and when I raised this objection, I think (as I believe you do not claim for yourself a perfect knowledge of the language) that you should have taken the opinions of a higher class of natives than mere bankers' goomashtas and the residency moonshee and carcoons, to ascertain the point more satisfactorily, which it does not appear from anything before me that you have done; and if you should have found reason to suspect that you had been led into error, you should have taken measures, I think, to contradict it as publicly as it had been made, and to have expressed your regret that you should have been so misled into countenancing what I consider to be charges implicating my private character and official discretion. You cannot, I think, be surprised that I was irritated that you should have countenanced such unsupported charges against me. Their authors appear to me, from their depositions, to be the moonshee, Sumbhooram, and one Lulloo, who have evidently played into each other's hands.

6. I assure you that when I received your second letter, alluding to a case at Surat, I was utterly at a loss to know what was referred to; my first idea was, that the case of Jumnabaee (Kessowdass' widow) and Bhanabhaee was alluded to, as it had been referred to me by Government, but on comparing the dates I discarded that notion, and I was again quite at a loss to imagine what case was intended. The Bukshee's and Jaffer Ali's case never occurred to me, as I considered the parties and Serfrazallee above such tampering, and that they were much too intelligent not to be aware of the folly of such an act, as also because their case had been pending since 1842. However, your informants were so vague and wild in their surmises (not assertions), supposing either that the entries were post-dated in the accounts, though the items might have been paid before, or that they might have been paid on account of the Shastree's Potdaree disputes, or perhaps on account of some dispute about to come before me at Surat, or perhaps on account of the dispute between the Bukshee and the Nawab, which was still pending, that they were quite worthless, and should never, I think, have been in the smallest degree recognised by you as evidence in any case, in the remotest degree even, affecting my character and honour.

7. You complain of my assertion, that "you must have been wilfully misled," as implying "that you had adopted a view of the matter which you had reason to believe was incorrect;" I do not think that the observation is capable of this construction; no one can be supposed to be "wilfully misled," or "wilfully guided a wrong way," or "wilfully betrayed to mischief or mistakes;" such expression, as applied to the persons acted on, appear to me to be a contradiction of terms. The word "wilfully" I applied to your informers, whoever they were, and never dreamt of its being applied to you; this explanation will, I hope, satisfy you.

8. You have, in your letter, made use of the expression "the courtezan you so highly eulogise;" I request you will be so good as to specify the passage in any one of my letters which is capable of being taken in this sense, and if you cannot do so, that you will retract this assertion, so dishonouring to me; I have, throughout, denied the applicability of the term used in the yadee of accounts to any woman of such description, and expressed the disgust I felt that a peg should by that construction have been intentionally furnished for hanging thereon the defamatory assertions of a libeller, to vilify my private character.

9. There is one part of your letter which I cannot allow to pass unnoticed. I beg to assure you, that nothing was ever further from my desire than to stop fair inquiry, or that you should frighten your informants into silence. The length to which this correspondence has grown show that I have courted inquiry throughout; but what I do complain of is, that

you

you have all along recognised assertions based on false premises, and that, when the errors on which the superstructure was built, were urged upon you, you did not, so far as I can see, take the trouble of inquiring from people of a respectable class of society, in order to correct them, and thus to put yourself in a position in which you would have been able fairly to put the libellers out of court; not one of the goomashtas whose depositions you have sent me has given his own opinions that the meaning of the word "sobhaywuntee" is a kept woman; but the word was in the yadee, which appears to have been first discovered by the moonshee, who gave it to "Sumbhooram," not the native agent; and at the same time he alleged that there was a kept woman in cantonment, named Dhoolun, and that statement seems to have been adopted as a matter of course by the people assembled, as explaining the meaning of the words. Its correctness seems never to have been discussed. To this hasty adoption of an unauthorized interpretation, and to the reserve observed by you in your first note and Sumbhoram's yadee, and to the incorrectness of the copy of the yadee of accounts, are to be attributed all the misunderstanding in which we have unfortunately got involved. I am, from a careful consideration of the 12 depositions you sent me, more convinced than ever that we are both the victims of a foul conspiracy unsuspected by you, the chief actors in which are the moonshee, Sumbhooram, and Lulloo. I feel satisfied that this fact will at last be established, and that no one will more regret the painful position in which I have been thereby placed than yourself, as I regret the tone of my letters of which you complain, and which, in a state of justifiable irritation, I have adopted, for I believe that you have meant honestly by me, though from your hasty adoption of groundless assertions I have deeply suffered.

10. As regards my surmise of a conspiracy, I beg of you kindly to satisfy me on the following points, viz.: Who were sent to seize or secure Baba Nafra's papers, and bring them to the residency? What length of time was occupied in the fulfilment of that duty? Can you tell me from your own knowledge, whether or not they were at all looked at by the persons employed in Baba Nafra's presence before they were sealed and carried away to the residency? How long a time, or how many days were occupied in their examination at the residency, and whether the yadee in question was discovered on the 1st, or on what subsequent day.

11. I request that you will not misunderstand me, and imagine that I, in the remotest degree, insinuate anything against the truth of your original account of what occurred in your presence after the papers had been brought to the residency; but do you feel satisfied, from personal knowledge, that the papers were not looked at in Baba Nafra's house, or shop, wherever they were found, and that the paper in question had not been seen by any one until the moment before it was shown to you, on your attention being excited by the tittering, &c. of the persons assembled?

12. If, on all these points, you are not certain from personal knowledge, you cannot have any assurance that the whole affair has not been the result of a conspiracy got up by the persons named above.

13. You say, "I have reason to know that the insinuations to his (Baba Furkia's) prejudice, by which it was endeavoured to influence you, and me, and French against that man, emanated from his bitter enemies, Nursoopunt and Baba Nafra," &c. I think it but justice to say, as regards myself, that I do not remember that Nursoopunt ever endeavoured to influence me against Baba Furkia, not even on one occasion when he had a great opportunity of doing so. I formed my judgment of him from the records of the residency, and from a case which came before me while in charge of the Reewa Caunta agency, which led me to entertain a most unfavourable opinion of his integrity and trustworthiness. Much interest was made for him with me, but as I have always set my face against "khutput," I of course refused to listen to his friends in opposition to my own convictions, and I believe that Mr. Remington, who first got rid of him, was equally free from extraneous influence.

14. I may add, that so late as Captain French's and his Highness's late visit to Surat, I was similarly importuned on his behalf to exercise any little influence it was thought I might still possess in his favour.

15. If you have lately, in any report you may have made to Government in favour of Baba Furkia, mentioned my name in the same connexion as you have done in your letter under reply, I request that you will lose no time in correcting your statement to Government.

I have, &c.
(signed) *W. C. Andrews,*
Late Acting Resident, Baroda.

Lieut.-col. J. Outram, C. B.,
Resident, Baroda.

R.

From Lieutenant-colonel *J. Outram*, C. B., Resident, Baroda, to *W. C. Andrews*, Esq., late Acting Resident, Surat.

(Political Department.)

Sir, 9th October 1850.

I HAVE the honour to acknowledge receipt of your letter of the 3d instant, which reached me on the evening of the 4th.

'S. O. 2. In that letter you decline to withdraw or apologize for one of the passages of your communications of the 18th * instant, in which you charged me with disingenuousness, and you in a measure reiterate that charge in the form of an exposition of the reasons that originally moved you to advance it.

3. This consideration alone would render it my duty to refer our correspondence; but I deem it right to apprize you that I should have felt constrained to adopt that step, even had you unequivocally retracted the imputations in your letter of the 18th September, for the proceedings of the sheristedar of your court, whom you deputed to Baroda to act on your behalf, and on instructions not communicated to me, were, during his residence at this place, such as to compel me to report them officially to Government, and to explain their full weight and their pernicious effects on the minds of the people of Baroda; it will be necessary that I submit our correspondence, and accompany it with a detailed account of the circumstances out of which it arose, and of those which have marked its progress. I shall of course furnish you with a copy of the letter I address to Government on this subject.

4. As in the letter now under reply, you persist in asserting and implying much that I thought I had disposed of in my former communication, I deem it right to answer it at some length, not so much for your satisfaction—for I think I have already been sufficiently explicit on the point to be adverted to—as because I do not choose that you should have it in your power, when explaining your share in this correspondence to Government, to advance the same untenable assertions and arguments you have adopted in your last letter, assertions and arguments which are in a great measure merely reproductions and modifications of those I have already disposed of.

5. You say, " I do not myself see what there was in the further explanations contained in your second letter to hurt and outrage my public or private feelings more than they had been by what you had already communicated in your first note and yadee, which seem to have contained everything except the only essential point, viz. the irreconcilability of the date with the supposed object of payment."

6. What you mean by my first letter failing to contain (query, explain) " the irreconcilability of the date with the supposed object of payment," is best known to yourself. To me your language is unintelligible. I had not deemed it necessary in my first letter to condescend on particulars, thinking I had done enough to rouse you to action by giving you a clue to the parties through whom I supposed your name had come to be associated in native estimation with irregular practices. You—aware, as you could hardly fail to be, of the native belief that judicial equally with political officers are amenable to improper influences, and likewise fully aware that about the date referred to you were judicially concerned in cases (to come before you at Surat) involving the interests of parties at Baroda—choose to assume, in your reply to my first letter, that I must have meant that the memorandum referred to affairs transacted while you were acting Resident at Baroda; and, in my second letter, I explained to you that you had assumed that which was not the case. The irreconcilability of the date with the transaction was a creation of your own mind—a groundless and, to me it appears, an unreasonable assumption.

7. Still, adverting to the same paragraph, I deny emphatically that in any of the communications I have addressed to you, I have written a single word intended or calculated to hurt and outrage the public or private feelings of any honourable man; if your feelings have been hurt and outraged, they have been so by inferences you yourself have drawn from my letters, inferences which, on the honour of a gentleman, I solemnly declare the letters were never meant to convey, nor supposed capable of suggesting; for I cannot suppose that the " pain" and " outrage" of which you speak applied only to the mention made by Shumbhooram of the woman Doolun; you surely would not have had me to refrain from apprizing you of the opinions entertained regarding you by the natives of Baroda, simply because, in apprizing you of these, mention required to be made of a liaison generally known by these natives. To this liaison I myself abstained from alluding; and both my letter and its accompaniments were never meant to reach any other eyes than yours. That they did so, was your fault, not mine. Had you done as I anticipated you would, Doolun, whose conviction there was no great object in obtaining, need not have been prominently brought forward. But even had it been otherwise, you surely would not have wished that, for the purpose of keeping her, and your connexion with her, out of sight, I should altogether have hushed up the matter.

8. I saw that your name was, in the estimation of the natives here, coupled with transactions of a discreditable nature: I had no more doubt of your integrity than I had of my own, and having this perfect certainty, I had very substantial grounds for believing that certain depraved individuals had made an improper use of your name, as others had done of various honourable and distinguished members of Government; it was due to that Government, and to my friend, that I should communicate these suspicions to the latter, in order that by himself investigating or authorizing me to investigate the matter, he might at once disabuse the natives of this place of an opinion not only dishonouring to himself, but most injurious to Government, and that, by bringing the guilty parties to justice, he might cooperate with me in my efforts to root out the mischievous belief, so prevalent in this part of the country, that both judicial and political officers are amenable to corrupt influences; had I done otherwise, whatever might have been the state of your feelings, your reputation would have been effectually hurt and outraged. For the natives who had communicated to me their interpretation of the memorandum, would, had I not communicated it to you, have

very

very naturally assumed that I was as satisfied of your complicity with Doolun and Larcoba, as themselves.

9. 'But though I deemed it my duty to apprize you of my suspicions, and to indicate their sources, I did not think it necessary to enter into details, and thus, as it were, volunteer to initiate the investigation, which I had no doubt you would instantly insist on having prosecuted; nor did I think it necessary to repeat the gossip that the discovery of the memorandum had evoked; I should have avoided such a course intentionally, had I written the letter leisurely, but I did not write the letter leisurely, I wrote it in haste, deeming it of the utmost importance that it should be written and despatched in the presence of the goomashtas; and written in haste, it was probably less clear and explicit than I might have made it, had there not been a great moral effect to be attained by promptitude of action. But to one familiar as you are with native tricks and intrigues, and aware as you can hardly fail to be of the extent to which the efficacy of "khutput" is believed in by the people of this province, the documents sent ought, I think, to have been sufficient to awake your suspicions, and to incite you to a course of procedure different from that you saw fit to adopt.

10. Your reply necessitated my entering into explanatory statements, not deemed necessary at a time when I had little doubt you would receive my letter in the same friendly spirit as that in which it was written.

11. My second letter, therefore, was more precise than its predecessor; but there was no more "discrepancy" or "incongruity" between the two documents, than there necessarily must be between a paper that states a conviction, merely glancing at the grounds on which that conviction rests, and one which explains these grounds at moderate length.

12. In reference to para. 5 of your letter now under reply, I beg to decline entering into any discussion as to the possible conditions under which the word "Sobagwuntee" may be employed. It is totally irrelevant to the matter of our misunderstanding. Were I proceeding criminally against the woman Doolun, I might join issue with you on the plea in her favour, which you raise on this point of philology. But I am not proceeding criminally against her, or any other of those in whose behalf you have been exercising an ingenious advocacy; and after the occurrences of the last month, it would be utterly futile in me, or Government, to attempt to proceed criminally against the parties suspected by me, for there is not now the slightest chance of their guilt being legally established; a result which it will be my duty to prove to Government is in no slight degree attributable to the course you have seen fit to pursue. It is but right, however, to remind you, that you state what is inconsistent with the real facts of the case, when you assert that I had not "taken the opinions of a higher class of natives than the mere bankers' goomashtas, and the residency moonshee and carkoons." The opinion given was that generally expressed by the assembled bankers of Baroda (not their goomashtas), a class of persons every way competent to decide on any point of literary criticism that can be raised in reference to the usages of bankers, and the designations they may apply to their constituents and customers; I had informed you of this in my letters of the 11th and 31st August. But, as I have said, this is a matter quite irrelevant for the defence of Doolun.

13. In the same paragraph, you presume to make a statement I cannot pass over without indignant notice. You once more accuse me of "countenancing charges implicating your private character and official discretion." Once more, therefore, I beg to deny the imputation; I countenanced no charges against you. On the strength of my estimate of your character, I repudiated implied charges, clearly believed in by those around me, and I hastened to put it in your power to demonstrate the falsity and injustice of these implied charges; and instead of doing this, you turn upon me with discourtesy and bitterness; you talk of outraged feelings, and you enter into counsel with, and evince much ingenuity in defending those into whose conduct the information given by me should have induced you to institute a very rigorous investigation. Again, I repeat, I never made a single charge against either your private character or your public discretion. It was yourself, not I, that put you on your defence. It was you, not I, that assumed the vindication of yourself to necessitate the vindication of your clients. I spoke of you as their victim; you have thought fit to represent me as making them your accomplices, and you have conducted your defence accordingly.

14. In your 6th para. you state that when you received my second letter, apprizing you that the memorandum was supposed to have reference to a case at Surat, "the Bukshees and Jaffer Ali's case never occurred to you, as you consider the parties and Surfrazallee above such tampering, and that they were much too intelligent not to be aware of the folly of such an act, as also because their case had been pending since 1842." The period through which their litigation had extended seems to me a circumstance having little to do with the matter. The pertinent consideration was, the date of the decision; and as to Meer Surfrazallee's high-mindedness and intelligence, I think that on inquiry you will find that he was concerned, not many years ago, in a far more comprehensive attempt to bribe, than that suggested by the goomashtas, and one intended to influence people of higher rank than yourself, and your equals in integrity.

15. In the same paragraph you write: "However, your informants were so vague and wild in their surmises (not assertions), supposing either that the entries were post-dated in the accounts, though the items might have been paid on account of the Shastrees Potdaree disputes, or perhaps on account of some dispute between the Bukshee and the Nawab, which was still pending, that they were quite worthless, and should never, I think, have been in the smallest degree recognized by you as evidence in any case, in the remotest degree even, affecting my character and honour." How often will you compel me to reiterate

that my communications to you were made in the purest spirit of friendship and honour, to enable you to demonstrate the base falsehood of native surmises which, without such a demonstration, no assurance of mine could eradicate? How long will you persist, in spite of my disclaimer, in assuming that I could not otherwise than have believed that you were improperly influenced? Do not the depositions show that the date was pointed out by me as indicating that the memorandum could have no reference to purely Baroda affairs? Take the following illustrations:—"The Resident said, that as Mr. Andrews was not here, but in Surat, at the date mentioned in the yad, what reason could there be for giving to his carbarry?"* "The Resident then observed, that suspicion is entertained about the Shastrees and other cases; but Mr. Andrews had left this prior to the date of the entry in the yad."† "The Resident then said that we all had expressed suspicions regarding the yad; but as Mr. Andrews was not here at the time, what necessity was there to pay anything to his kamdars and others?" ‡ "On which the Resident said that you all entertain doubts against those persons, but Mr. Andrews was at Surat on the date mentioned in the yad, therefore what necessity was there to give those people any money?" § "The Resident said, that gentleman was not here on the date mentioned in the yad, therefore what necessity was there to give any money to this karbarry?" ‖ "On this the Resident said, that Mr. Andrews was not here on the date mentioned; what necessity was there to give any money to his carbary?" ** "The resident, who said that Mr. Andrews was not here at the date mentioned, but in Surat, therefore, what necessity was there to give money to the kamdar?" †† I have already, in my letter transmitting these depositions, told you that, when called on formally to depose what they had previously stated, they withheld much of what they had actually said. But, meagre as are the depositions, do they not unequivocally show that the memorandum was regarded by those who examined it, as referring to attempts made on you? And do they not further show that so firm was their belief that such had been the case, that, when reminded of your having left Baroda at the date given in the memorandum, they were not shaken in that conviction? Some observed, that in matters of this sort, dates might be made the means of concealment and deception; while others adhered to the belief that the money had reference to a case on which you had to adjudicate at Surat. None present could deal in other than surmises; they were not giving evidence; they were called on merely to give their opinions as to the meaning of a particular document. As regarded one point, their opinions were identical; viz. that the memorandum indicated disreputable transactions, with which your name, at least, was mixed up. None appeared to doubt that Doolun, Larcoba and Moongajee had been employed through Baba Nafra to influence you. The only discrepancy was as to the particular instance to which the discovered items referred; and the majority of them, as I have already said, inclined to the belief that it referred to a case coming before you at Surat. I did not take the depositions at first, for reasons previously intimated to you; viz., from an unwillingness to lead them to believe that I was, on my own authority, about to institute an investigation into matters affecting you; and when I did take their depositions, it was not as "evidence" against you, but to afford you the information you were desirous of obtaining. And these remarks I beg you to consider as applying to the following passage in your 3d para. that is, so far as I can understand your meaning, and I confess that it appears to me obscure:—"Your first note and Sumbooram's yadee (failed) to give me even the scanty (though, with reference to the depositions you sent me, apparently erroneous) information contained in your subsequent letters, regarding the supposed object of the payment in question."

* Deposition of Abdool Rahim Moonshee.

† Deposition of Echaram Vunarsee.

‡ Deposition of Damodhur Doolub.

§ Deposition of Bhyjee Gelah.

‖ Deposition of Wissonath Gopal.

** Deposition of Lullo Bhugwan.

†† Deposition of Bhugwan Bhowanee.

16. Your 7th para. requires no further notice than an expression of satisfaction at the explanation given by you of the inoffensive meaning in which you employed the term "wilfully misled."

17. In your 8th para., you call on me to specify the passages, if any, which justify me in saying that you highly eulogised the courtezan Doolun. You did not eulogise her in direct terms, but you did so by implication. I had intimated my suspicions that she, Larcoba and Moongajee, had made a rascally use of your name; and, in reference to these suspicions, you have, in the course of our correspondence, made use of the subjoined expressions: "Persons of tried integrity." "Parties whose honour and integrity have been proved throughout a long period of service." "You have encouraged the most baseless charges against persons whose integrity has never been impeached, * * * while you discredit imputations of knavery which have been substantiated," &c.

18. In paragraph 9, you assure me "that nothing was further from your desire than to stop fair inquiry, or that I should frighten my informants into silence." I find it difficult, nay, impossible, to reconcile your conduct throughout this business with the sentiment above expressed. In your letter of the 18th September, you thus wrote:—"A friend would have spurned them with disgust, at least I should have done so had I been acting as you profess to have acted towards me, and had the indignation been shown as well as felt, the false constructions of words, and far-fetched, unwarranted and infamous conclusions drawn therefrom could never have been hazarded." What other meaning can be attached to this than that I should have indignantly told them not to couple your name with aught dishonourable? If I had done so, I should, as I previously observed, have effectually prevented them from again broaching the subject before me; but should I have satisfied them of your innocence? Assuredly not; I should only have confirmed their belief that you had been improperly influenced by appearing to believe it myself, the only inference they could have drawn from my summarily stopping their mouths. If you were anxious for inquiry, why the warmth you have from the first displayed, and why did you adopt the step of all others most calculated to defeat inquiry, by at once submitting to two of the suspected

suspected parties my confidential letter, with its accompaniments, thus putting them on their guard at the first stage in the proceedings, and by apprizing them of the nature of the evidence likely to be adduced against them, enabling them to take steps for baffling my inquiries? Why so indignantly assert their innocence before you had even taken steps to inquire into the particular allegations against them? Why take the suspected parties at once into your counsels, and along with them the relative of the individual to whom the memorandum belonged, with whom you might be well assured he would be in close communication?

19. You now say you would not have had me stop the mouths of my informants; what would you have had me do with the information acquired from them? Would you have had me keep it within my own councils, communicate it to no one, and thus take no steps to clear your reputation from what I believed to be gross and base calumnies, no steps to vindicate the purity of English administration, that had been falsely maligned through the calumnies of which you were the victim? Would you have had me pursue such a course as this? If you would, then would you have wished me to adopt a plan which would have been unjust to you and unjust to Government, and a plan which would have destroyed your usefulness, if, as your sheristedar has been industriously engaged in asserting, you should be my successor in this office; and if you would not have had me adopt this course, what course, in the name of candour, would you have had me pursue? Did I not display the utmost delicacy in leaving you to take the initiative in the investigation, and thus putting it in your power to give it such a direction as was best calculated to keep the woman out of prominent view, her conviction being comparatively unimportant?

20. You adduce "the length of this correspondence" as a proof of your anxiety to have a searching inquiry into the conduct of the suspected parties. I regard it only as a proof of your zeal as an advocate in behalf of those parties, and of your determination to leave no stone unturned for bringing them through unconvicted; and I am ready, on this point, to abide by the arbitration of any honest and impartial man, be he lawyer or layman.

21. You complain, in para. 9, that I have "all along recognised assertions based on false premises, and that when the errors on which the superstructure was built were urged upon me, I did not take the trouble of inquiring from people of a respectable class of society in order to correct them, and thus put myself in a position in which I would have been able to put the libellers out of court."

22. This complaint evinces a singular misapprehension on your part of the circumstances of our correspondence. My object was, in the first instance, to apprize you of certain suspicions, and to put you on the track of those whom I suspected. All my subsequent communications were either categorical replies to questions put by yourself, compliances with your demands for information, or vindications of myself from the very unfair imputations in which, from the first, you indulged. I was not sitting in judgment on Doolum, Larcoba and Moongajee. I sought to bring these individuals to trial; but they have not been subjected to me. And the strange phenomenon has been presented of the individual apparently most interested in their being subjected to trial actually making an *ex parte* defence in their behalf.

23. That I myself am designed to be the victim of a conspiracy, in consequence of the part taken by me in this matter, is rendered more than probable by the revelations that have been made to me of the proceedings of your sheristedar during his notable visit to Baroda. But I do not apprehend that even his ingenuity will be able to make it appear that the discovery of the memorandum was the result of, or a stage in, any conspiracy having you or me for its objects. What possible object could influence any one at Baroda to conspire against an obscure purvoe at Broach, a purvoe at Surat, and a prostitute at Ahmedabad, or even against yourself? For I am not aware that you incurred the enmity of Baba Nafra, Shumbooram, or any of Baba Nafra's friends, secret or avowed.

24. And this brings me to your 10th para., in which you put certain queries regarding the circumstances attendant on the discovery of the memorandum. To these I proceed to give you clear and explicit answers, merely premising that they are unnecessary, as Baba Nafra never attempted to deny the authenticity of that document.

25. On the 24th July, I sent to his Highness the Guickowar to request that the private papers of Baba Nafra might immediately be seized. In reply, I was informed that the cotwal (Shumbooram) had been directed to do so, and I expected to have had them in the course of the afternoon. They did not, however, come; and next day, getting impatient at the delay, I sent my native agent to the Durbar to ascertain its cause. His Highness expressed to the minister his astonishment that my requisition had not been complied with, and the minister in his turn expressed his surprise that the officer to whom the seizure had been confided had not acquitted himself of the duty. Govindrow, the Durbar vukeel, was directed to inquire immediately into the matter, and my native agent accompanied him to Baba Nafra's house for that purpose. On reaching it, they found the Baba and the officer sitting together in the midst of the Baba's papers, several bundles of which had been put aside in a manner that indicated that it was intended to secrete or destroy them, besides many loose papers. All that were found were then tied up in a sheet, and sealed up in the presence of the Baba Govind Row Shumbooram, the native agent, and others who had followed them to the house. Thus sealed, they were brought to the residency. The examination of the papers by the goomashtas, &c. was commenced on the 26th July, extended over nine days (the memorandum was found on the sixth day), that by the punchayet of bankers five days. At the termination of each day's inspection, the books and papers were sealed and deposited in the treasury, under the residency guard.

26. I cannot say whether the paper in question had or had not "been seen by any one until the moment before it was shown to me on my attention being excited by the uttering," &c. of the people assembled; but I decidedly incline to the belief that it was not opened in the Baba's house subsequently to the intimation he doubtless had received of the intended search, because, if it had, there is little doubt so important a document would have followed the fate of the other papers which he had found time to secrete or destroy. The bundle of papers in which it was found had the appearance of not having been opened for a long time before it was untied at the residency. It was one of those which had been set aside for concealment, when my native agent's fortunate arrival on the spot prevented that purpose being carried into effect.

27. With regard to paras. 13, 14, and 15 of your letter, I have only to say, that in pleading a re-investigation of Venack Moreshwur Fudkey's case, I did not introduce your name, nor have I made use of your name in any matter connected with that individual.

I have, &c.
(signed) *J. Outram*, Resident.

S.

Sir, Baroda, 13 October 1850.

I HAVE at last obtained from the Durbar the examinations of Baba Nafra relating to the Larcoba item, which were taken on the 13th, 20th and 25th August, and his final examination on the 10th instant, copies of which are herewith forwarded.

The three former were brought to me a few days ago, their production having been deferred so long, because it was expected by the Durbar that Baba Nafra would ultimately confess, and they being unaware of the importance of the Baba's admission regarding the 100 rupees paid to Larcoba, not having been informed of the defence set up by the latter relating thereto.

When they were brought to me in the first instance, I suggested that the man should be examined in the presence of or by your sheristedar, the latter however declined the proposition to that effect made by his Highness, I then sent to request that his final examination should be taken, which was accordingly done on the 10th instant.

As I had all along supposed, Baba Nafra does his best to conceal the real nature of the transaction, but as it happened that his first examination was taken before he could compare notes with Larcoba & Co., his explanation regarding the 100 rupees is directly opposed to that given by Larcoba. He therein declares, that "100 rupees were paid to Larcoba on account of some English petitions sent to Government." Larcoba writes on the 12th August, "I know nothing about the sums of money in Baba Nafra's memorandum, nor has a single rupee reached me directly or indirectly." * * "In fact I have nothing to do with the firm or its affairs, neither had I any personal acquaintance with Baba Nafra or any other goomashta in the employ of that house." Afterwards, Larcoba adopted the explanation, which you had suggested as probable in your letter, dated 23d August, and pleaded that "he had allowed his nephew to copy some papers for Anna (the Baba's son), for which he was paid," and that "he had not mentioned this in his first explanation, as he did not suppose it had any connexion with the sum of 3,100 rupees he was to account for."

Now, Larcoba's assertion that he knew nothing about the sum of money in Baba Nafra's memorandum, and that not a single rupee reached him directly or indirectly, and moreover, that he had nothing to do with the firm or its affairs, is somewhat at variance with Baba Nafra's assertion, that he had paid him (Larcoba) 100 rupees for writing petitions on behalf of the firm, even had the money only been paid through him (Larcoba) for his nephew.

The fraudulent nature of the chopra accounts, shown by the circumstances noted in my letter, dated 16th ultimo, and in the memorandum which accompanied that of the 15th August last, relating to the expenditure of the 24,000 rupees (thereby showing the outlay to have been incurred in a transaction which it is an object to conceal), is confirmed by Baba Nafra's own admissions, reserved as he is.

Thus he admits that the name "Vishnoo Narraen" of the chopras is fictitious, and he admits that the memorandum "was prepared for his own understanding," although he, of course, declares that the chopras, not the memorandum, are to be depended on for the true representation of the transaction, which you will recollect is directly opposed to the decision of the sowcars on the subject. Moreover his explanation of the mode in which the balance of 18,000 rupees arose, is very lame and suspicious, to say the least of it.

I have, &c.
W. C. Andrews, Esq. (signed) *J. Outram.*

(Postscript.)

Sir, Baroda, 16 October 1850.

THE above letter was draft on Sunday last for the purpose of despatching with copies of Baba Nafra's examinations, but was deferred till next day, for the purpose of being copied. On Sunday night I received your letter of the 12th instant, which suggested the propriety of myself questioning Baba Nafra, lest he might hereafter deny the correctness of his examination before his Highness. On this account, I deferred despatching my letter, and on Monday had the Baba brought before me. The questions I then put to him, and his

his replies, are now appended, which you will observe, clearly prove Larcoba to have received the 100 rupees himself for himself alone, and that he alone copied papers for the firm, and not Mancoba.

Moreover, the absurdity of his (Baba Nafra's) attempt to account for the 18,000 rupees, as being his own money, the accumulation of the surplus of various marriages, is apparent. For what sowcar, carrying on business, would thus hoard up cash locked up in a box, for many years, instead of putting it out at interest?

I have, &c.
(signed) *J. Outram*, Resident.

T.

Sir, Surat, 12 October 1850.

I HAVE the honour to acknowledge the receipt of your letter of the 30th ultimo, enclosing the original yadee of accounts first forwarded with your letter of the 15th August last.

2. I am obliged to you for your compliance with my request, and hope you will excuse me for not returning it to you at present, or until the charges against Larcoba and myself, by implication, be finally disposed of, because it is of too important a nature to me to be entrusted at present out of my possession.

3. My reason for asking for it a second time was to compare it with a copy I had taken of it by a Mahratta carcoon in the Udalut, but which I had forgotten to have authenticated by others; and I thought it necessary, at the same time, to make a more particular examination of the erasures, additions and alterations in the figures of several items, which I had seen before, but had not particularly considered in connexion with the depositions of the parties whose opinions you had taken thereon.

4. The result of this has been, that I am satisfied that not only was a grossly false copy of this paper, though authenticated as true, sent to me with your first note, there being ten erasures, additions or alterations in the original, whereas not one was shown in that copy; but on a comparison of the depositions with the items in question, I was convinced that the copy which had been kept in your office, and shown to the deponents as correct, was also false, and that consequently their opinions must be equally erroneous.

5. It is impossible that these false copies could both have been otherwise than prepared by your native agent or carcoons intentionally to deceive, and that they could not both have been the result of carelessness; and being so convinced of this, I am not willing that this paper, which is the foundation of the charges against Larcoba and myself, should be again put into the hands of your native agent, lest it should be tampered with. I fear that his three years' imprisonment with hard labour in the Kaira gaol, has not had any permanently good effect in improving his moral character.

6. Mr. Forbes, the Assistant Judge, an excellent Marathee scholar, has most kindly superintended the copying of the original paper in duplicate, and has most carefully examined and marked the alterations made in the several figures of the original. One of those copies I now forward to you, in lieu temporarily of the original, and the correctness of the duplicate copies has been further authenticated, after comparison by the dufterdar of the Collector's establishment, the mamlutdar of the Chorasee purgunnah, and the Chitnes, all Maratta scholars, which must be sufficient to satisfy you of the correctness of the enclosed.

7. I also enclose a paper, containing copies of questions founded on the original yadee and the explanatory depositions you sent me, and of the answers given thereto by the same respectable officers of the Collector's department, to whom the original yadee, and the extracts from the chopras you sent me, were shown when the questions were put into their hands. They satisfied themselves fully respecting them; and having compared the original yadee with the copy which I had had taken at first, the latter was given to them, for the purpose of preparing their answers during their leisure hours; and when they brought their answers to me, they again compared them with the original yadee, which was in my keeping, and then signed them in my presence, and delivered them to me on the 9th instant. These circumstances will account for my delay in replying to your letter under acknowledgment.

8. On the receipt of your letter of the 21st ultimo, containing the passage, "you are of course at perfect liberty to form any opinion you choose as to the account received by Larcoba, &c.," I was induced to make a reference to Mancoba, as to his alleged employment by Nuna, Baba Nafra's son; I enclose copy of my letter, and Mancoba's reply in original, which latter I beg you will return. Mancoba calls Larcoba his brother, but they are first cousins, being brothers' children. I, in a former letter, inadvertently called Mancoba Larcoba's nephew.

9. I confidently trust, that after a careful consideration of the true copy of the yadee, and of the observations contained in the papers with which you are now furnished, you will be led to hesitate to believe in the truth of the conclusions volunteered to you by designing parties; and as you profess to have been actuated throughout this inquiry by a friendly regard to my character, you will, I am sure, rejoice in finding that their scandalous insinuations have proved utterly groundless.

I have, &c.
(signed) *W. C. Andrews.*

Lieut.-colonel J. Outram, C.B.
Resident, Baroda.

U.

Sir, Baroda, 16 October 1850.

I HAVE the honour to acknowledge your letter of the 12th instant, intimating the receipt of the original yadee of accounts, which had been once before forwarded to you with my letter of the 15th August last, but which you, a second time, applied for on the 27th September.

2. In applying for that document, you backed up your application by the volunteered promise that it should be returned immediately, underlining the word as I have done. Your application reached me on the 29th ultimo, was complied with on the 30th, and on the 12th instant, after retaining the document in your possession for at least ten days, you intimate your intention not to return it at all till the subject of our correspondence has been disposed of.

3. It will devolve on higher personages than either of us, when judging of the figure respectively cut by us throughout this correspondence, to pronounce on the validity or cogency of the reasons you assign for this extraordinary procedure, and to determine how far, in adopting it, and in assigning your reasons for its adoption, you have comported yourself with judicial bearing, good taste, and gentlemanly usage. These are matters on which I pretend not to pass an opinion, and though it appears to me that a "true copy" authenticated in the manner of that forwarded to me, would have answered every legitimate purpose you can have in view, just as well as the original, and would moreover have afforded adequate protection against the original being tampered with, I do not object to your retaining the latter; but at the same time I must remind you, that by retaining it, you effectually prevent my taking the steps I deem desirable with a view to establish the identity of the document as last sent to you, with the document as submitted to the various parties previously consulted regarding it. And as it appears from your letter that you mean to charge one or more members of my establishment with having altered the document, I do not exactly see the good taste or judicial propriety of the arrangements.

4. Considering the tone you have adopted towards me, and the general aspect of your proceedings in reference to the subject of our correspondence, it is not my duty to set you right in respect of matters of fact which have been already over and over explained to you, but still I am unwilling that you should, in your communications to Government, be betrayed by inadvertence into inaccurate statements or untenable arguments. I therefore beg to inform you, that it was the original yadee, not a copy of it, which was submitted to the goomashtas when the document turned up; that it was the original also which was examined by the goomashtas when they gave their depositions on the 27th, 28th and 29th August, and it was the original yadee on which the committee of Baroda bankers pronounced their judgment on the 5th August. It was on a careful examination of the original that both these bodies of intelligent and experienced men expressed themselves satisfied that the document referred to illicit transactions.

5. And now, as to the incomplete copy authenticated by me as correct, I have already informed you, on more than one occasion, that when, after the discovery of the memorandum, I became apprized of the opinions here entertained to the prejudice of your probity, and respecting your connexion with Doolun, Larcoba and Moongajee, I deemed it due to you, as my private friend, and as a public officer, and not less due to the honour of the British name, and the dignity of the British Government, both of which are so deeply and so sadly compromised by the prevalent belief in the efficacy of khutput, to adopt some decided mode of practically demonstrating my perfect confidence that you would sift the matter to the bottom, and punish those through whose agency your name had come to be lightly mentioned. With this view, as you have been repeatedly told, I ordered a copy of the memorandum to be made for you, with an explanatory note by Sumbhooram, both documents being intended for enclosure in a short letter to be penned and despatched in the presence of the goomashtas who had witnessed the discovery of the document, and who had given me their interpretation of the nature of the transaction to which it referred.

6. Two copies were simultaneously made by different carcoons, one of these was placed before me for signature. I have already explained to you the moral object I had in view in acting promptly on this occasion, and in my haste to despatch my letter, and in the press of other business, I did not stop to compare the alleged copy with the original, a precaution rarely adopted in any public office in signing copies of native papers prepared or examined by official servants, even where the signature is appended under circumstances of greater leisure.

7. Assuming, as a matter of course, the copy submitted by me to be correct, I signed it, retaining in the office the other copy, which proves to be an accurate fac-simile of the original. The latter (the original) I sent to the Durbar to have the handwriting traced, an object which was successfully attained.

8. Of the oversight I committed in my zeal for your reputation, and for that of Government, you are welcome to make any use to which you think it can be turned; but in any arguments you may be pleased to found on it, and on any narrative into the structure of which you may weave it, I have to request that, in common candour, you will give prominence to the fact that Shumbooram, in his yadee which I forwarded along with the supposed true copy of the memorandum, alluded to one, and the most important, of the erasures in the original document, that of the terms "Sobagwuntee Baee;" if you give the prominence to this fact which it deserves, you will practically exonerate the parties whom you suspect of the guilt attributed to them, of having purposely substituted an imperfect, and therefore a spurious, document for a genuine one. For to suppose that they would attempt to foist on

you

you as correct a document which another paper whose contents were known to them (for it was read aloud) proved to be defective, would be to suppose them devoid of common sense, to an extent utterly incompatible with the artfulness and other phases of depraved ingenuity which you have been pleased to attribute to them; and on their assumed possession of which many of the irrelevant arguments with which you have unnecessarily given length and bulk to our correspondence have been based; and, by drawing, as in common honesty you must, attention to the fact that Sumbhooram, in preparing his yadee on the original document, did not allude to all the erasures it contained, you will enable those to whom this correspondence must be referred, to judge of the logical force of the arguments founded on the depositions of the goomashtas by which you arrived at the conclusion that it was a copy, and a false copy, of the memorandum that was submitted to them for examination; and when they learn not only that that conclusion was in itself erroneous, but that the copy in my office is an accurate copy of the original document, it may possibly occur to our masters that you have displayed more of the keen advocate than of the dispassionate judge, in so hastily assuming that it was impossible my native agent or my carcoons could have otherwise than have sought intentionally to deceive. And though it has not occurred to you, it may possibly occur to the final arbitrators in this matter, that there could have been no object for deception. They will bear in mind, what you have with strange persistence all along forgotten, that I was not engaged in judicially investigating the guilt of Doolun, Larcoba and Moongajee, that I was only indicating to you certain suspicions which I entertained, and the individuals in whom these suspicions vested. They will bear in mind that in forwarding to you the alleged true copy of the memorandum, one great object I had in view, and one which I communicated to those around me, was to lead to a judicial investigation being instituted for the vindication of your character, and the punishment of those through whom it had been maligned; and as in a judicial investigation, original documents, not copies, would be called for, it will occur to our common masters that had not any native agent and any carcoons been the veriest dolts, they would never have dreamt of perpetrating an imposture, certain to be detected when the judicial investigation took place, even could they have hoped that the discrepancy between Sumbhooram's yadee and the copy would escape your notice, and an imposture the detection of which could not fail to cover them with shame and to lead to their dismissal; and as the very erasures in the original document, which were omitted in the copy, were by the goomashtas deemed confirmatory of the opinion that the memorandum referred to discreditable transactions, it will, I doubt not, appear to higher authority, that not only must the inutility and punishment of such a deception as you imply have been obvious to those you charge with practising it, but that its tendency, if it had a tendency at all, would be rather in favour of the suspected parties than otherwise: but why dwell longer on this point, after having shown you that your assumptions are in utter antagonism to the facts of the cases. Two erroneous copies were not made, and it was the original, not a copy, on which the bankers and the goomashtas founded their opinions.

9. I am much obliged to you for the conclusive evidence of Larcoba's disingenuousness furnished me by the letter of Mancoba. I did not, however, require it; he had already proved himself unworthy of credence, having first solemnly denied that a single rupee had reached him from Hurry Bhugtee's house, directly or indirectly, and then admitted that 100 rupees had passed through his hands to Mancoba, every piece of which Mancoba declares to have been retained by Larcoba, but every piece of which Baba Nafra himself declares to have been paid to Larcoba on his own account, as a remuneration for the preparation of certain petitions, which he (Larcoba) had been selected to write, precisely because he was a Government servant, and therefore able to understand the subject better.

10. Your 9th para. I have read many times over, in vain attempts to comprehend it; but I confess it is utterly unintelligible, except on the supposition that you wish deliberately to insult me, by again accusing me of countenancing charges, or entertaining suspicions against you.

11. Either I must have signally failed in my attempts to write plain English, or you must have as grievously failed to comprehend plain English, if you have yet to learn that I never for a moment "believed" in the truth of the conclusions volunteered to me by designing parties, or by any parties whatever: I disbelieved—utterly and entirely disbelieved and repudiated—the conclusions regarding your character for integrity, which I with pain discovered were adopted by the people around me; and it was precisely because I disbelieved and repudiated them that I sought to enable you to demonstrate their falsity, and thus not only set your own character in its true light, but at the same time deal a heavy blow to the prevalent belief in the efficacy of khutput.

12. Which of us makes the more creditable figure in our voluminous correspondence, and whether your proceedings and those of your councillors and employé have been of a nature to strengthen or weaken the belief in the efficacy of khutput, are questions which it shall be my endeavour to have submitted to the decisions, not only of Government but of the Court of Directors, for the dignity and interests of the latter I conceive to be deeply concerned in the recent history of my office.

13. I have to thank you for the information communicated regarding the early career of my native agent, for so important do I deem it, that I shall lose no time in communicating the same to Government; for, had it been known before to me, I should not have failed to make the Honourable Board aware of the fact, notwithstanding that since his imprisonment Soorujram had served 15 years in the capacity of a vukeel in the Audalut, notwithstanding that Major Lang had thought him worthy of being made manager of the Edur State, and

notwithstanding the high certificates he has from Captain Wallace, Mr. Spens, Mr. Bettington, and others. On receipt of your letter I sent for the native agent, and asked him why he had never mentioned to me the fact of his imprisonment. His reply was, that he fancied I was as well aware of it as Major Lang and Captain Wallace, who, believing him to have been the victim of a conspiracy, did not allow a sentence passed on him 36 years ago to weigh against the intellectual and moral qualifications for which they gave him credit.

14. Prior to the date of your letter, you must have been in receipt of my communication, dated and despatched on the 8th instant, requesting information "with as little delay as possible" regarding the movement of your sheristedar; and I cannot but regret that you should not have thought that letter worthy of an immediate acknowledgment.

I return the letter for Mancoba.

I have, &c.

W. C. Andrews, Esq. (signed) *J. Outram.*

P.S.—Since the above was written, I have obtained your tardy reply, which will receive due notice.

W.

Sir, Surat, 23 October 1850.

In acknowledging the receipt of your letter of the 16th instant, which reached me on the 19th, I deem it necessary to make some observations on the arguments advanced by you therein, evidently with the view of demonstrating that the reasons assigned by me in my letter of the 12th idem were too inadequate, and too far from truth, to justify my retaining possession of the original memorandum of accounts, in direct opposition to the promise with which I had backed up my application for it.

2. In the first place, then, when I promised that the document in question should be returned to you immediately, I fully intended doing so, and had not the least intention of retaining possession of it; and in order to show this clearly, I must repeat the circumstances which compelled me to apply for it. When it came to me first, I directed a writer in this Adalut to make an exact copy of it for me, which he did; but before returning the original to you, I did not take the precaution of getting the copy compared by another writer. On comparing with this copy the depositions of the goomastas, which were subsequently furnished to me, I discovered that the erasures noticed by them did not exactly coincide with it. I, therefore, thought it necessary to refer to the original to get this copy corrected, as it was difficult to presume at once that all the goomastas could have fallen into the same errors, consequently I had no hesitation in backing up my application with an intimation that the paper should be returned to you immediately; and I never dreamt of the necessity of retaining possession of it until after I had discovered that the copy made by my writer was correct, and found cause to conclude that the copy kept in your office must be false. I thought it was immaterial to you whether the original was in your possession or mine, otherwise I should have been more explicit in my letter, in which I informed you of my resolution of keeping it with me. Had it been a private matter, I should have certainly considered myself bound, as a man of honour, to have returned the paper, under any circumstances, since, on applying for it, I had intimated to you that it should be returned immediately. But this was a public affair, and for public interests am I obliged to act as matters turn up; for, considering the circumstances of this case, I think I have as much (if not a greater) right to keep it in my possession as you have. I retain possession of it to secure justice, and you could require it for no other object; consequently, there could be no culpable breach of a voluntary promise in acting as I have found it necessary to do. In retaining possession of it, I have no further object than to see this document, which is the basis of our misunderstanding, and which has been so unfortunately misinterpreted to you, reach the higher authorities in its original state, in order that they may be able to judge how far you have been misled by designing parties; and I should not have been constrained to adopt such a course, had I not been perfectly satisfied, after the receipt of the document, as well as of the information brought to me by Nurbheyram, of the want of candour on the part of your establishment.

3. In para. 3, you observe that "a true copy" authenticated in the manner of that forwarded to you, would have afforded adequate protection against the original being tampered with. But I did not think it could, otherwise I should not have acted as I did; for, as mentioned by you in para. 4, you have submitted the paper to so many people, that such a true copy could not have weighed against the evident uniformity observable in the erroneous opinions they all gave to you with regard to the erasures.

4. The conclusion drawn by them all evidently was, that it being necessary to alter the figures of the total in more than one place from 24,000 to 21,000, in order to meet the reduction of 3,000 rupees, the erasures were fraudulently made, to evade the attention of others. Another of their gratuitous assumptions was, that the entry of Sobagwuntee Baee and Larcoba was originally one and the same. On examining the original document, however, I was perfectly satisfied that neither of these was a fact. The figure of 24,000 was nowhere to be seen, and the evident interpolations observable at the first cursory glances, proved that the one entry was converted into the other; and that there could, consequently, be not even as near a connexion between the Sobagwuntee (whoever she might have been) and Larcoba, as there is between any two of the heavenly bodies. For your satisfaction, however, I deemed it necessary to submit the paper to respectable Maharatta scholars, and obtain

obtain their opinions thereon. This occasioned the delay (as explained in my letter of the 12th instant) of 10 days, complained of by you in para. 2, and the 9th para. of that letter would have been sufficiently intelligible to you, had you but calmly considered their answers, with the true copy of the memorandum of accounts, with Mr. Forbes' explanatory notes thereon.

5. I cannot exactly understand what you mean by saying that in adopting the course I have done, I have effectually prevented your taking the steps of establishing "the identity of the document last sent to me with the document submitted to the various parties previously consulted." For, as stated by you in para. 4, you are confident that it was the original yadee that was submitted to them on all occasions.

6. With regard to para. 4, I shall merely observe that the copies of the depositions authenticated by you distinctly prove that it was the copy, and not the original yadee that was submitted to the goomastas, when these depositions were taken on the 27th, 28th and 29th of August. And as I have not been furnished with a copy of the judgment pronounced by the committee of Baroda bankers on the 5th August, I have not the means of knowing how carefully they examined the original yadee submitted to them on that occasion; but as to how far the original was carefully examined by every one of the goomastas personally when the document turned up, and how far the misinterpretations originated with them, it is not necessary for me to comment on here, as the depositions of the parties will best expose that to the higher authorities.

7. With regard to paras. 5 and 6, I beg to assure you that nothing was further from my mind than to blame you for the incorrectness of the copy of the original memorandum of accounts first furnished to me; I was fully aware that it was the duty of your native agent to superintend such work properly.

8. With reference to para. 7, and the concluding part of para. 8, I assure you that the copy retained in your office (since it proves to be an accurate fac-simile of the original) must exactly correspond with the copy I forwarded to you authenticated by Mr. Forbes, but I know not how to reconcile with it the comments made on the erasures by the goomastas in their depositions, unless that I should take such grave discrepancies as additional proofs of the whole affair being the result of a studied conspiracy.

9. In para. 8, you endeavour to prove that as one of the most important of the erasures in the original yadee had been alluded to by Sumbhooram in his memorandum, the parties suspected of having substituted an imperfect copy are practically exonerated from the guilt attributed to them, and that in furnishing me with an imperfect copy there could have been no object of attempting any deception which could not possibly succeed, as "the detection of such an imposture could not fail to cover the guilty parties with shame, and lead to their dismissal." With reference to this I shall merely observe that the imperfect allusion to the erasure made by Sumbhooram was not sufficient, as you suppose, for he merely mentioned that there was a line drawn over Sobagwuntee's name, without mentioning that the figure (3) of 3,100 rupees was likewise erased; such imperfect allusion could have been made with no other motive than that of deceiving me into the belief that "Sobagwuntee Baee" and Larcoba were connected together in the original, as in one and the same entry, a conclusion supported by the false assertion made therein by Sumbhoram that the disbursements, as shown in the memorandum of accounts, were proved to be correct by the account books of the firm. The fact is that in its original state, without erasures, the memorandum is not at all supported by the account-books in respect to the sums as represented by Sumbhooram. And when it is borne in mind that the copy kept in your office, and the comments passed on it by the goomastas, could not both be correct at one and the same time, our masters will, I trust, be able to judge rightly as to how far I have displayed more of the keen advocate than of the dispassionate judge in assuming that two false copies had been made, and *vice versâ*. You observe that as "the very erasures in the original document, which were omitted in the copy, were by the goomastas deemed confirmatory of the opinion that the memorandum referred to discreditable transactions, it will, I doubt not, appear to higher authority that not only must the inutility and punishment of such a deception as you imply have been obvious to those you charge with practising it, but that its tendency, if it had a tendency at all, would be rather in favour of the suspected parties than otherwise." With respect to this I have to remark that it is not so much in the omission of erasures as in the imperfect and false representations of them, that the attempt to deceive was practised in both the instances. And as for the fear of ultimate detection and consequent punishment being sufficient to deter the parties concerned from attempting such a fraud, I now merely remark that if this were a fact, your native agent should never have had to pass some part of his early life in gaol, and much less should he have ventured to assure you that the copy first forwarded to me was correct, a point which, as he must have been fully aware, could be detected within five or six days.

10. With reference to para. 9, suffice it for me to remark that Larcoba's denial in the first instance had reference to the accusation of his having received (3,100) rupees in connexion with one Doolun. It is a point for the higher authority to decide how far Mancoba's evidence falsifies Larcoba's statement, and how far Baba Nafra's statement supports the original charge, or proves Larcoba to be guilty of severely punishable misconduct for having received the sum of 100 rupees as admitted by himself.

11. With reference to the 11th and 13th paras. I have to remark that it is neither your nor my assertions that can decide the question; the higher authorities will be guided by the papers connected with the case. When they see how far the original memorandum is susceptible of the constructions put upon it; when they observe what imperfect means

were furnished to me to sift the matter to the bottom, and what consistency marks the whole of the proceedings; when they contrast the studied misinterpretations of the Baroda people with the opinions passed by a committee of respectable and impartial native officers in the Government service on the same document in Surat; and, above all, they perceive how anxious I have been to turn the inquiry into a right direction, and how determined you appear to have been not to weigh and consider facts suggested for the exposure of the falsity and groundlessness of the opinions you had hastily, and perhaps inconsiderately, once adopted,—they will surely be able to judge how far you, as repudiator of the suspicions entertained against my character, "sought to enable me to demonstrate their falsity;" your vague insinuations against my proceedings in this case, &c., can be exposed only when I have an opportunity of knowing at what you aim. But I can assure you that it was not at all necessary to hold out to me, as it were, a threat to have the case ultimately submitted to the Honourable the Court of Directors. It is guilty conscience alone that can be awed down by such threats; but, confident in the justice of my cause, I have no objection to your laying the case before any higher authority you prefer.

12. With regard to the last paragraph but one of your letter under reply, I need only observe that nothing short of a reference to the Kaira records can satisfy any authority as to how far a thief legally convicted by a British judge, sentenced to three years' imprisonment with hard labour, could have been the victim of a conspiracy; and as for the man's moral qualifications, for which you say Major Lang and other gentlemen gave him credit, I must confess I have had no good sample of them in his fearless yet utterly false assertions communicated to me in para. 7 of your letter, dated 31st August, in direct opposition to my own statement, based on personal knowledge, and which in para. 19 of your letter of the 21st September, you have styled "a grave" fault in a person occupying his position.

13. I have to acknowledge the receipt of your letter of the 13th instant, forwarding copy of Baba Nafra's explanations, with which I am well satisfied, as he confirms the opinions found here of the original item of 3,100 rupees, charged to the Sobagwuntee Baee, having no connexion with the item of 100 rupees charged to Larcoba; and I deem it of no moment whether the latter item was given to Larcoba or Mancoba, as it was paid for a legitimate purpose; and, on a reference to the papers themselves on your records or in Bombay, it can be satisfactorily proved by whom they were copied.

I have, &c.

Lieut.-colonel J. Outram, C. B.
Resident, Baroda.

(signed) *W. C. Andrews,*
Late Acting Resident at Baroda.

A A.

Delivered by Nurbheram Sheristedar, on the 28th September 1850.

My dear Outram, Surat, 21 September 1850.

I HAVE received yours of the 16th instant, and its enclosures. In your letter of the 31st ultimo, you said that "they" (the deponents) "were supported" (in what they had stated regarding Moongajee's riding with me in my carriage) "by Sumbhooram who, being an officer of the Durbar accustomed to come frequently to the residency, &c." In the first place, I beg to inform you that during my residence at Baroda, Sumbhooram was not in the habit of coming to the residency, he may have been once or twice in the office, but never to my recollection visited or had any interview with me; the only person I communicated with was the vukeel Govindrow. In his deposition, I see that Sumbhooram denies having said more to you on the subject than repeating what others had said, and denies for himself all knowledge of the alleged fact. It is a pity that you did not take his first statement in writing, as it is disgusting to be made the victim of lies, and not to be able to bring their author to account for them.

The extracts from the accounts you sent me are not all which I require; and as I cannot obtain the accounts for personal inspection, and it is impossible, without a full examination of those which bear on the items referred to in the memorandum you first sent me, satisfactorily to clear up the doubts you have thrown on them, and the suspicions I entertain regarding them, I send with this the sheristedar of my court, Nurbheyram Kussondass, to examine them, according to instructions I have given him, in presence of a committee of Sirdars and other principal officers of the Durbar, and to make extracts from them (according to those instructions), which should be authenticated by the committee. As a matter of simple justice to myself and others, I request that you will obtain from his Highness the permission and assistance necessary to the speedy execution and furtherance of Nurbheyram's commission.

Yours, &c.
(signed) *W. C. Andrews.*

N. B.—Immediately after perusing this letter I sent for the native agent, and ordered him to furnish the sheristedar with a note to the Durbar vukeel, of which the following is a translation; at the same time directing the native agent to accompany the sheristedar to the city, to afford every assistance that might be required of him.

TRANSLATE of a Letter from Soorujram Gungaram, Native Agent, to Govind Row Roreya, his Highness's Wakeel, dated 28 September 1850.

I AM directed by Colonel Outram to write you privately, and introduce you to the bearer, Mr. Andrews' sheristedar, from Surat, by name Nurbheyram Kissondass, and to request that you will allow him to examine the chopras of the firm of Hurree Bhugtee, and that established in the name of Baba Nafra's son, as also those of Baba Nafra's private firm, as many as he pleases, before a committee of respectable and influential persons, who should be requested to attach their signatures to any extracts which he may make, after comparing them with the chopras.

B B.

Sir, Baroda, 5 October 1850.

I HAVE the honour to inform you, that your sheristedar called on me the day before yesterday to take his leave, and to obtain my signature to the extracts which he had taken from various chopras, which, on the assurance of my native agent that they were correct extracts taken in his presence, I endorsed to that effect.

Your sheristedar admitted that all the items which I had transmitted to you had been correctly extracted, and that all had been furnished by me which directly related to the Larcoba case. On my asking him why in that case he had thought it necessary to make such copious extracts from several chopras which had no direct reference to that particular case, he replied, that they might be useful, therefore he had taken them.

Having previously learnt that your sheristedar had declined to assemble a punchayet of Sirdars, or to examine Baba Nafra in presence of the Durbar, I questioned him on the subject, when he admitted that he had not thought it necessary to do either.

On my questioning him as to whether he had received every assistance in his inquiries from the Durbar and from my native agent, and whether he had been allowed free access to all the chopras he demanded, he stated that every assistance had been given to him, and that every chopra required had been shown to him.

I have now called on the Durbar to take Baba Nafra's final examination, and furnish me with a copy thereof, together with that of his former statements, alluded to in my last. When received, a copy will be furnished to you.

I have, &c.
(signed) *J. Outram.*

C C.

Sir, 8 October 1850.

FOR reasons hereafter to be shown, I request you will communicate to me the purport of the instructions under which you deputed your sheristedar to Baroda.

Also, that you will do me the favour to take the sheristedar's deposition on oath, and send it to me, with as little delay as possible, on the following points:—

First. The date and hour of his departure from Surat, and of his arrival at Baroda, specifying the places where he stopped on the road, and the time he delayed at each place.

Secondly. The same information with respect to his departure from Baroda, and arrival at Surat, and regarding the intermediate stoppages.

And I request you will be so good as to furnish me copy of his report to you of his proceedings while at Baroda, or, should he have made no formal report, the substance of his communications, or the information he may have furnished to you.

I have, &c.
W. C. Andrews, Esq. (signed) *J. Outram.*

D D.

Sir, 10 October 1850.

I SHALL esteem it a great favour if you will have the goodness to obtain for me, with the least possible delay, a statement from Meer Jaffer Alie, of the number of his horsemen despatched to Baroda, and the dates on which they were despatched, between the 1st August and 1st October. The information is sought for public purposes, for the interests of Government, and the furtherance of justice.

I have, &c.
W. C. Andrews, Esq. (signed) *J. Outram.*

E E.

Sir, Surat, 15 October 1850.

I HAVE the honour to acknowledge the receipt of your letters of the 5th and 8th instant, and, as requested in the latter, forward a copy of Nurbheyram's report to me of his proceedings at Baroda.* * Appendix No. 8

2. With reference to the former of these letters, I beg to observe that you must have misunderstood Nurbheyram, regarding his admission "that all the items had been furnished by you which directly related to the Larcoba case." If they had been, why should I have despatched him to Baroda, for the purpose of making extracts? And he has brought away with

with him many that I had not seen, especially extracts from the Khata, for several years of "Sobhagwuntee Baee Sahib," which are the most essential of all.

3. You will observe from his report, how Nurbheyram was frustrated in carrying into effect my instructions to have a committee to examine and authenticate his extracts, and how he was disappointed when the sowcars at last refused to comply with his Highness's order to do so, an act of disobedience to their despotic sovereign unheard of, I should think, in the annals of Baroda, and would never have been ventured on if it had not been fully understood that the order was not sincere.

4. Nurbheyram also gives his reasons for having declined to see Baba Nafra when asked by the Durbar if he wished to do so. To examine Baba Nafra did not form part of my instructions, nor does he appear to have been directly invited by you to do so.

5. By whomsoever you were informed that Nurbheyram voluntarily declined to assemble a punchayet, he has, by Nurbheyram's account, been guilty of a gross falsehood; and I cannot believe that Nurbheyram would willingly have neglected to obey one of my positive instructions, particularly as he could not have had any motive for his disobedience, and the assembling of a committee did not rest with him at all. It appears most strange, also, that the books should have been examined in Hurree Bhugtee's shop, instead of in the Durbar.

6. In short, from his own report, you will observe the degree and nature of the assistance Nurbheyram received from the Durbar and your native agent.

7. It is obvious, from your letter of the 5th, as well as other letters, that Baba Nafra had already made some statements regarding the items found in the yadee of accounts. Is it possible, then, that up to the present moment, you have not received the smallest intimation of their purport from the Durbar? If you have, I think you were bound in honour and candour to have communicated it to me, whether it was satisfactory to you or not, and suffered me to form my own judgment thereon.

8. Referring again to your second letter under reply, I have to inform you, that Nurbheyram, on the third day after his return on Monday last, was seized with fever, and I have not seen him since; but if I could do so, I should not feel myself justified in any way in taking his deposition on oath on the points you require, without knowing the reasons for which you require it, and the use to be made of it. This is a step which may be consistent, perhaps, with your notions of political expediency, but is quite at variance with my notions of justice; but I can assure you, at the same time, that he has nothing to conceal regarding the progress of his journeys to or from Baroda.

I have, &c.

Lieut.-colonel J. Outram, C.B.,
Resident at Baroda.

(signed) *W. C. Andrews.*

F F.

Sir, Baroda, 20 October 1850.

YOUR letter of the 15th October reached me on the 16th, just as I had despatched my packet containing Baba Nafra's examination.

2. Any further information you may require, documentary or otherwise, shall be transmitted to you on intimation of your wishes to that effect; but I positively decline to be any longer insulted under cover of a now profitless discussion, characterised on your part by unwarrantable discourtesy.

3. I shall now, without unnecessary delay, draw up a statement of the circumstances out of which it arose, as well as those which have attended its progress, and I shall request the decision of Government as to which of us has in this disagreeable business best acquitted himself of his duties as a gentleman, and as a public servant charged with promoting the interests of justice, and with vindicating within his own sphere of action the dignity of the British Government.

4. To their decision shall it be referred whether I was justified in asking for the deposition on oath of your sheristedar, and whether you were justified not only in refusing it, but in making your refusal the vehicle for a deliberate insult. To them shall it be referred, whether you or I have evinced the greater tendency to sacrifice justice to expediency, and they may perhaps contrast to your disadvantage the unquestioning readiness with which I obtained for you depositions on oath from my native agent and Sumbhooram regarding their proceedings, with the virtuous indignation displayed by you when information was requested by me regarding the movements of a man, the recital of whose proceedings while here will, I doubt not, startle as well as grieve them.

5. A copy of my communication to Government shall of course be forwarded to you.

6. Although, for the reasons above stated, I shall not enter into any discussion on the merits of your sheristedar's report, my sentiments on which shall be communicated to Government, there are certain allegations in it which demand explanation, and oblige me to put further queries to you; these you will reply to or not as you please, but I deem it my duty formally to demand them, on the double ground that, under the circumstances of the case, I have a personal right to such answers, and that the interests of truth require that, before I prepare my report to Government, I be provided with them.

7. You state that your sheristedar "has brought away with him many (extracts) that I had not seen, especially extracts from the khata for several years of 'Sobagwuntee Baee Sahib' which are the most essential of all;" having reference to my assertion, that your sheristedar had admitted before me that all "the items had been furnished by me

which

which directly related to the Larcoba case." I therefore require of you to specify every item extracted by your sheristedar not furnished by me, which relates directly to the Larcoba case. I do not care about his extracts of items credited or debited to "Sobagwuntee Baee Sahib." But if he has any item clearly relating to a banker's wife, in which the word "Sahib" is omitted after "Sobagwuntee Baee," I shall thank you to communicate it to me. And if he has succeeded in finding any item in which the name of a banker's wife, or any term designating a banker's wife, is mixed up with that of a male of a different caste, and necessarily unconnected either by marriage or consanguinity; such items also I shall feel obliged by your communicating to me.

8. Your sheristedar also states "as from first to last the committee did not sit, nor sign the extracts, lest some new obstacle might be raised, I sent my man after Soorujram's garry, and having learnt that he was sitting near Bhow Tambeker, as also the goomashtas of Hurree Bhugtee and Sumbhooram, I prepared to start for the residency, when I was further informed that Soorujram was at the shop of Hurree Bhugtee, where he was in deep consultation" * * * "I had heard at Baroda, that, in taking the extracts, everything had become known, therefore they were concocting matters to bring blame on the Sahib and myself."

9. I call upon your sheristedar to state how, when and where he heard this, and from whom he received this information; your sheristedar further states, that "in the name of Sobagwuntee Baee Sahib was debited 100 rupees in the item of 3,100 rupees; this I saw written in the rozmail of Purshotum Runchore"; and as he at the same time declares that the chopras are correctly drawn up according to sowcarree custom, I therefore require him to inform me where he found any corresponding credit for these 3,100 rupees recorded.

Again intimating that while I shall be ready to furnish you with any information and explanations, &c. you may require, I decline entering into any further controversial discussion.

I have, &c.
(signed) *J. Outram.*

P. S.—I enclose a note for Meer Jaffer Allie, and cannot but express my surprise that under the circumstances of the case you should have deemed it your duty to transmit the letter in a manner that seemed to imply you expected an answer to that person's queries.

(signed) *J. Outram.*

G G.

Sir, Surat, 25 October 1850.

In acknowledging the receipt of your letter of the 20th instant, I must confess that I am as much if not more disgusted with the unprofitably extended controversial correspondence betwixt us as you can have been, and it was no less owing to this than to indisposition and press of official business that latterly I have been so tardy in replying to your letters, and I cannot but express my satisfaction at your determination of declining "to enter into any further controversial discussion."

2. As, however, before the receipt of your letter under reply, an answer to your letter of the 16th was drafted, I have despatched it, but agreeably to your wishes, I save myself the trouble of answering one or two of your long letters, which have as yet not been noticed by me for want of leisure.

3. Until I have an opportunity of perusing copy of your statement to Government, I know not what further informations and explanations I may require from you. But the case itself is so simple and self-evident, that had it not been made unnecessarily intricate by the unfortunately protracted discussions between us, the higher authorities would have been saved much trouble, and what share each of us has had in rendering it as it is, it is for Government to decide. Divested of reciprocal complaints of "insult" and unwarrantable discourtesy, &c. &c., the clearness of the main point at issue will, I think, scarcely make it necessary for me to require any further information or explanation from you, and while on the one hand I rejoice at your submitting the case to Government, as at once putting a stop to such a grievous discussion, I am extremely sorry on the other hand that unnecessary trouble should be caused to that authority in arbitrating a case in itself so utterly groundless. I fear that our discussion of it to such a length will reflect no great credit on either of us, but I trust that Government will excuse me when they see how I have been unavoidably driven to it.

4. What you mean by the proceedings of my sheristedar "startling and grieving Government," I cannot understand, until I know of what he is accused. Is it his having examined the chopras for me, and brought to me such extracts as would enable me to demonstrate the irrelevancy of the discrepancies in the account books pointed out to you by your advisers as proof of the whole matter referring to illicit transactions? What is meant by such a vague charge, or what else I have yet to learn? I am not at all surprised that he should have become obnoxious to all parties concerned in this case. As an illustration of his proceedings I may mention to you that the corresponding extracts from the ledger books of Narryenrow Runchore and Samul Bhugteedass, brought to me by Nurbheyram, distinctly prove that the following statement in paragraph 6th of your letter of the 16th September is utterly erroneous.

"And the item of 12,000 rupees attempted to be accounted for by a similar sum credited to Narrayen Runchore in the 'avra' of Samuldass Bhugtee is proved to have no reference

to the item embodied in the 18,000 rupees, as it is not credited in the accounts of Hurree Bhugtee for Sumvut 1903," because they (the extracts) show, that not only is this sum of 12,000 rupees, but all other sums similarly debited in Narrayen Runchore's account throughout the year are credited in Samul Bhugtee's and not Hurree Bhugtee's account books. The imperfect extracts that had been first furnished to me from "the avra" had not made this point so clear, and surely your native agent does not either understand accounts, or else he wilfully keeps you in ignorance.

5. When Government give due consideration to the circumstances under which we required from one another depositions of subordinates on oath, I doubt not but they will justify my having deemed myself unauthorized to take Nurbheyram's deposition on the points and in the manner you required.

6. As you have copies of the extracts brought by Nurbheyram, as well as translations if not copies of the extracts furnished to me by you direct, you can easily find out what new extracts have been brought by him. Those for which I had written to you were required from the ledger books, instead of which, with the exception of Vishnoo Narrayen's account, all the other extracts furnished were from "avra" or monthly cash-books; but Nurbheyram brought extracts from the ledger books.

7. As for your observation regarding the inferential connexion attempted to be established between "Sobhagwuntee Baee" and Larcoba, from the contiguity of the two names I beg to refer you to para. 4, of my letter of the 23d instant, and once for all beseech you, for your own sake, to consider well the answers Nos. 2, 5, 13, &c. of the committee I had assembled here (copies of which were furnished to you with my letter of the 12th idem), and to compare them with Mr. Forbes' notes on the copy of the original rough memorandum of private accounts. Should this not convince you of the errors into which you have been led, I am not to be blamed for not having taken the means of proving to you the justice of my convictions so far as it lay in my power, in my present situation.

8. For the explanation you require from my sheristedar, I beg to forward herewith a copy of his statement.

I have, &c.
(signed) *W. C. Andrews,*
Late Acting Resident, Baroda.

Lieut.-colonel J. Outram, C.B.,
Resident, Baroda.

H H.

Sir, Baroda, 2 November 1850.

THE copy of your sheristedar's report of his proceedings at Baroda having been submitted to the Durbar for such notice as his Highness might deem it deserving of, I received a yad in reply, dated 24th ultimo, copy of which is appended, in which his Highness objected to certain allegations contained therein, as contrary to truth, and requiring explanation. As in the meantime I had, under date the 20th October, requested you to obtain such explanation from the sheristedar, I awaited your reply; your letter, dated 25th October, furnished me with Nurbheyram's statement, which having been forwarded to his Highness, elicited a second yad, dated 31st ultimo, which also, with its accompaniment, is enclosed.

From this document you will observe that the sheristedar has misrepresented facts; and you will further perceive that certain circumstances which he professes to have had communicated to him, are equally devoid of truth; his Highness consequently demands that the person be brought forward who thus falsely imposed on your sheristedar, in order that the matter may be subjected to the decision of a legitimate tribunal.

I need not point out to you, that should your sheristedar persist in asserting that he really was informed, as he alleges, and still decline to give the name of his informant, but one conclusion can be drawn.

I have, &c.
(signed) *J. Outram,* Resident.

W. C. Andrews, Esq., Judge, Surat.

J J.

Sir, Surat, 7 November 1850.

I HAVE the honour to acknowledge the receipt of your letter of the 2d instant, with its accompaniments, and beg that in reply to the demands for explanations made by his Highness the Guicowar in the accompaniments to your letter, the purport of the accompanying Mahratee yadee may be communicated to the Durbar.*

* Appendix, No. 9 E.

2. Nurbheram, I beg to add, declines to commit a breach of confidence by giving up the name of his informant, and I have no power, even if I wished, to compel him to do so. You are of course at perfect liberty to draw what conclusions you think proper from his refusal.

3. I do not very well understand why you should have considered yourself necessitated to forward to the Durbar copies of Nurbheram's reports to me.

I have, &c.
(signed) *W. C. Andrews,*
Late Acting Resident, Baroda.

Lieut.-colonel J. Outram, C.B.,
Resident at Baroda.

K K.

Sir, Baroda, 22 November 1850.

WITH reference to the Marathee yadee which accompanied your letter of the 9th instant, and which in accordance with your desire I communicated to the Durbar on the 13th, I have the honour to transmit copy of a yad from his Highness the Guicowar, received yesterday, as requested therein to do.

You will observe that his Highness is by no means satisfied with the explanation of your sheristedar's misrepresentations contained in your yadee, and still expects more explicit information from you.

I have, &c.

W. C. Andrews, Esq. (signed) *J. Outram*, Resident.

L L.

Sir, Surat, 7 December 1850.

I RECEIVED your letter of the 22d ultimo, with its enclosure, some days ago, but could not answer it immediately, in consequence of Nurbheyram's absence, who has not yet returned from Bombay.

I however think it not only unnecessary, but also unbecoming to carry on a discussion with the Durbar on such points; and I therefore beg you will do me the favour to communicate the same to his Highness, with an assurance from me, that I never doubted his sincerity and good-will towards me.

Should his Highness be not satisfied with this, you can adopt whatever steps you may deem necessary, just and fit, in the matter, communicating the same however to me, if you see no objection.

As it is a very long time since you expressed your intention to me of submitting the case to Government, I think you must have done so ere this, and therefore anxiously await a copy of your letter to that authority, with which you promised to furnish me in one or two of your letters, dated in October last.

I have, &c.

(signed) *W. C. Andrews*,
Late Acting Resident, Baroda.

Lieut.-colonel J. Outram, C. B.,
Resident at Baroda.

(True copies.)

(signed) M. Battye, Assistant Resident.

5.

Appendices (A.) to (V.) accompanying Lieutenant-colonel *Outram*'s Report.

Appendix (A.)

(Original Yad*—not printed.)

* *See* Translation, p. 141.

Appendix (B.)

EXTRACT Bombay Secret Consultations, 26 November 1851.

(No. 907 A.)

Questions to the Jury.

1. To notice all the erasures and corrections, stating particularly what the original figures were, and what they have been altered to, and whether they can discover in any of the totals the figures 24,000.

Answers from the Jury.

1. We have examined the yadee therein on the creditor side.

1st. The first sum total of 23,650 is altered to 21,000.

2d. The third item of 4,000 embodied in the above sum, is altered to 1,000.

3d. Of the third item of 3,100 embodied in this latter sum, that of 100 is retained, while 3,000 rupees are reduced by erasing the preceding figure 3.

4th. The sum total of the three items including the above is altered from 4,000 to 1,000.

5th. The last sum total on the creditor side, is altered from 23,650, to 21,000.

In this manner there are erasures in five places.

On the Debit side.

Of the second item of 3,100, the latter figures of 100 are retained, and 3,000 are reduced by erasing the preceding figure 3.

The last item of house expenses, which was 2,050, is increased by 350, and altered to 2,400.

The sum total, which was originally 23,650, is altered to 21,000.

In this manner there are erasures in three places.

The figure of 24,000 rupees is nowhere to be seen on creditor and debtor sides in the original, or among the erasures and alterations.

2. To give their opinion as to whether Sobhagywuntee Bayee's and Larcoba's was originally one and the same entry, or whether Bayee's entry of 3,100 rupees has not been subsequently converted into Larcoba's entry of 100, and to state distinctly the grounds of their opinion, and the occasion when they think this alteration was made.

2. The sentence regarding Larcoba did not form a part of the item of 3,100 rupees, originally debited to Soubhagywuntee Bayee, because the letters "Soubhagywuntee Bayee Yanche Nawey Meetee Wudya 8" (Soubhagywuntee Bayee, Dr., date 8 of the last half of the month) are in the same handwriting, and written at one time; of which the letters from "Soubhagywuntee" to "Nawey" are drawn through by a line, while the letters "Meetee Wudya 8" (the date) are retained of this old item, and afterwards subjoined by the letters "Kapant Anna gheoon gela Larcoba budul" (Anna took to cantonment on account of or for Larcoba), which being somewhat smaller than the preceding letters, and most of which being introduced without a line, for want of space, and which being written with different ink and pen, appear different from the original entry; consequently it appears that as the entry debited to Soubhagywuntee Bayee was to be entirely taken out, and that of 100 on account of Larcoba was to be introduced, the alteration was subsequently made in this manner, by retaining the figure of 100 from the original entry of 3,100. Thus it appears that as the entry debited to "Bayee" was taken out from the debit side, 3,000 rupees out of the sums credited on the same date were reduced from the Cr. side, and 100 rupees were debited on account of Larcoba, and a sum of 350 rupees having been squeezed in at the end of the Cr. side, under the head "Keeta" (ditto), the total of 23,650 was reduced to 21,000; it further appears, that at the same time that the sum of 350 rupees was introduced into the Cr. side, the entry of 3,100 rupees

rupees debited to Soubhagywuntee Bayee was substituted by one of 100 for Larcoba, for if such was not the case, the sum total on the Cr. side should have been increased to 24,000, which figures however were not introduced, and the sum of 23,650 is at once altered to 21,000. This is adjusted by putting in 18,600 as the sum total of all the entries on the Dr. side, with the exception of that of house expenses, which latter is altered to 2,400, in consequence of the increase of 350 on the Cr. side alluded to above, and thus the last sum total of the Dr. side was, as a matter of course, altered from 23,650 to 21,000; in this manner, in order to introduce the entries of 350 and 100 on the Cr. and Dr. sides respectively, as well as to omit the entry of 3,100 debited to Bayee, the various erasures and alterations appear to have been made in all the places simultaneously.

3. To state their opinion with regard to the reasons of each erasure and alteration.

3. As out of the money transactions noted in this memorandum there might have arisen some objection in Soubhagywuntee Bayee's receiving the amount debited to her, this item was altogether omitted from it. The reasons of the other alterations will be perceived from the above answer.

4. To compare this yadee with attested extracts from the chopras, and state whether, because there are erasures and corrections in more than one place in this rough yadee (from which the accounts have been entered in the chopras), do they find any reason to suspect that there was any fraud of concealment attempted in this.

4. On comparing this memorandum with the extracts from the account-books, it does not appear that any fraud was practised in the former, because the total sum of 21,000 rupees, of which the details are given in the memorandum, is credited in one lump in the account-books, and the entry of 18,000 rupees to Narayen Rao Runchore, as well as the sum debited to Sonar (goldsmith) are found debited to these parties respectively, while that debited on account of Larcoba is debited to Huree Bhugtee. In comparing these entries, no other difference is observable between the memorandum and the account-books but discrepancies in dates. Besides these, there is a separate sum of 100 rupees debited to "Bayee" in the account-books. This sum is debited to her account, where it is distinctly specified as received in part of 3,100 rupees. From this it appears that even in erasing and omitting the item of 3,100 rupees debited to Soubhagywuntee Bayee, no fraud could have been intended.

5. Because in the erased entry in the rough yadee the term "Soubhagywuntee Bayee" is merely used, while in the chopras there is an entry debited to "Bayee Saheb," does this difference of the affix "Saheb" indicate that the parties alluded to must be different, or if they both refer to the same person, to state the grounds of their opinion?

5. On account of the affix "Saheb" in the item in the account-books, which is not mentioned after the words "Soubhagywuntee Bayee" in the rough memorandum, it cannot be inferred that the two persons must be different; for, as stated in the preceding answer, the entry in the account-books distinctly states the item to be a part of 3,100 rupees. As for the difference in the omission of the affix "Saheb," then, it is to be accounted for in this manner, that when a household person writes, he merely says "Soubhagywuntee Bayee," while a goomashta or a carcoon (in writing the same account) affixes the title, and writes "Bayee Saheb," and such appears to have been the case with this memorandum and the account-books. In illustration of this may be observed the fact, that for the sum of 100 rupees debited on account of Larcoba, the entry in the memorandum is worded "Anna Kapant gheoon gela," in the singular or familiar style in reference to "Anna," while in the same item in the account-books is written "Hustey Anna Saheb" (paid through Anna Saheb). This principle is equally applicable in explaining the difference between "Bayee" and "Bayee Saheb."

6. When the corrections in the rough yadee are borne out by the chopras, are the erasures and alterations in the rough memorandum to be considered false or made with fraudulent motives?

6. Unless satisfactory proof is obtained to demonstrate that a sum just equal to the reduction from the account of the rough memorandum has been absorbed in some other items of expenditure, there appears no ground to assume that the alterations made in the rough memorandum are false; and as the

Cr. and Dr. entries in the extracts from the account books correspond with this memorandum, and are subjoined by the pages of the ledger-book, there is no ground to assume that the alterations in the rough memorandum were made fraudulently.

7. In Marathee accounts, is the term "Soubhagywuntee Bayee" ever used for a kept woman, or would the addition of the affix "Saheb" distinguish the wife of a respectable living husband from a concubine?

7. In addressing or writing, the terms "Soubhagywuntee Bayee" are applicable to a married woman whose husband is living; a household person writes merely "Soubhagywuntee Bayee," while a goomastha or a carcoon writes "Soubhagywuntee Bayee Saheb," but it is not customary to designate a kept woman "Soubhagywuntee."

8. Why are rough notes and memorandums drawn up before entering any money transactions into regular account books as accounts; and which are more worthy of credit, the former or the latter?

8. While any money transactions are not finally settled, should they be entered in the account books (in this imperfect state), no correction can be made therein afterwards by erasing any item, consequently a rough memorandum is first drawn up, in which, if necessary, alterations are made by erasures; and after it has been corrected, the items are transferred to the account-books as finally confirmed, and the latter are therefore worthy of credit. According to the custom of keeping accounts, the rough memorandum is not worthy of greater credit than the account-books themselves, because it is from these (the latter) that the bankers' accounts are adjusted and reckoned as true.

9. If the debit entries are corroborated by the accounts of the parties, is there any reason to doubt the payments, merely because the party to whom credit is given is unknown, or because the sum is credited under a fictitious name?

9. Should the items debited to different parties be found in their accounts respectively, there is no ground to suppose the payments suspicious, merely because the sum (out of which these payments are stated to have been made) is credited by a fictitious name; for among the bankers in this country, it is customary to credit even their private family funds under fictitious names in different trades.

10. If, in order to conceal certain payments of bribes, fictitious accounts were entered, and false credit given, would it not be necessary, in adjusting the accounts for the year, to close up the account of the fictitious party; or, in other words, should there be no debit entries in that account at all, and if there are no debit entries equal to the sum credited, can it be said that the party to whom credit is given must be fictitious, merely because it is not known?

10. Under the circumstances mentioned in the query, it is imperatively necessary to adjust the account of the party appearing Cr.; and should there be no debit entries to his account, merely the fact of the money being credited under a fictitious name, does not furnish any ground to conclude that originally the transactions were falsely entered to conceal payments of bribes.

11. Supposing that false accounts were written, and money credited to a person from whom it was not received, and debited to fictitious persons to conceal the real recipients; and if afterwards corresponding reductions are made on both the Cr. and the Dr. sides from the total sum, is the reduction not a proof that the actual payment was less by so much, or what else was to be inferred from the erasures and alterations made to effect the aforesaid reduction?

11. If so, the actual disbursements were less by so much at the time, and nothing else can be inferred from it.

12. Would payments of bribes be debited (in the accounts of the giver) to any particular party as debtor?

12. Such an item cannot be debited to the party; for when it is made Dr., it follows that repayment is expected from it.

13. What woman do you think was, probably, meant by the terms "Soubhagywuntee Bayee," to which party the sum of 3,100 rupees was originally debited, and what might be the probable cause of the reduction

13. When great men or bankers give any money on any account to their mothers or other elderly women in the family, or to their own wives, in debiting the sum the name of the woman is not specified, consequently this

reduction of 3,000 rupees from both sides of the account, as well as of the addition of 350 rupees to the Cr. side?

this item appears to refer to some woman of the family. The reduction of 3,000 rupees from both sides of the account, and the subsequent addition of 350 on the Cr. side, appear to be owing to some alterations in the original arrangements regarding the receipt and disbursement of this money transaction, which seems to have been settled down to rupees 21,000; and as the payment of 3,100 could not, probably, be accommodated for within this amount, the item might, probably, have been dispensed with, as being a private one.

(signed) *W. C. Andrews,*
Late Acting Resident of Baroda.

Surat, 4 October 1850.

(signed) *Jeybhoy Hureebhoy.*
Veenayek Gunesh.
Sudashio Gopall.

9 October 1850.

Appendix (C.)

(Original Yad*—not printed.)

* *See* Translation, p. 141.

Appendix (D.)

TRANSLATION of a Memorandum that accompanied Colonel *Outram*'s Letter of the 16th August 1850.

ON the subject of a yadee relating to a bribe of 21,000 rupees found in Baba's dufters, during the course of the investigation of the case of Joeeteebayee's son, the following question is proposed to sowkars:

Motee Heerachund, of Attur Soomba, obtained a sum of 15,000 rupees from the firm known as Girdhur Samul, "through Lalbhaee Gulalwala for the purpose of paying it (on behalf of Baba Nafdya) as a bribe to Soorujram, the native agent of the residency. It appears that Baba caused this amount to be debited in the chopras of that firm, advanced as a loan by Baba to Motee Heerachund, on condition of one month's time at an interest of eight annas (per cent. per mensem). From this it appears, that Baba is in the habit of doing such things. Therefore, after inspecting Lalbhaee Gulalwala's chopras, state whether or not Baba can, if so inclined, credit the amount of 21,000 rupees in question to the account of Vishnoo Narayen, and having paid the money as a bribe, account for it by debiting it to Narayen Runchore and others?

Gopalrao Myral answers as follows:

"The deposition of Lalbhaee Gulal's son, Nuthoobhaee, taken before the Sircar is read to me; and having inspected the entry of the item of 15,000 rupees in the chopras (of Lalbhaee Gulal) shown to me, I am of opinion that Baba would debit payments of bribes in the name of other parties (under false pretexts), such as bearing interest, &c. instead of debiting them in the name of the real recipients; therefore such is Baba's practice."

Moteelal Samuldass, Damodur Kessno, Chooneelal Lalloobhae, and Hureevulubdass Ruttonjee give the same answer as above.

Dated 15 August 1850.

Before me, this 15th August 1850.
(signed) *J. Outram,* Resident.

Appendix (E.)

ACCOMPANIMENT of Colonel *Outram*'s Letter, dated 13th and 16th October 1850.

Substance of Baba Nafdya's Examination by the Baroda Durbar, on the 6th Shrawunshood (13 August 1850).

I. On being questioned, he states that the yadee of 21,000 rupees is written by Tatyaba Oorpadkur. On being questioned with regard to a Goczerattee version of an extract from a despatch of the (Honourable) Court, dated 27 May 1850, bearing upon the subject of Joeeta Shetanee's case, Baba denies all knowledge of it, and declares that the paper was not in his dufters.

On being questioned, he states, that Poorshotum is Baba's younger son, and Runchore is the name of the deity at Dakore, and in the name of Poorshotum Runchore the business of the firm is managed, according to Baba's advice, by that son and two goomashtas who are under him.

On being questioned, he states that Narayen Rao is Baba's eldest son, and Runchore is the name of the deity, and in the name of Narayen Row Runchore, the business of the firm is managed by Baba personally; the Guicowar Government has a share in this firm.

On being questioned with regard to the erased item, and Larcoba, &c., Baba declares, that "the Soubhagywuntee Bayee" is his own wife, who had (first) required a sum of 3,100 rupees, but as she did not want it afterwards, she did not draw the amount; consequently the figure of the item debited to her, as well as her name, were erased, while the figure of 100 was retained for the entry of the sum paid to Larcoba. Anna is Baba's son, and Larcoba was Government servant in the residency office, and as the latter resided in the cantonments, the former went there to pay him the money.

On being questioned as to why, instead of writing a separate sum of 100 rupees against the date of the entry regarding Larcoba, the figure of 100 from the item of 3,100 was retained, Baba says that this yadee was merely to assist his own memory, and was prepared for his own understanding, that he might recollect the different sums in general.

On being questioned whether there were any other sums debited to "Bayee Saheb," Baba states, that she has an account current of the sums received and paid by her.

On being questioned if he has paid any more money to Larcoba, Baba says he does not recollect if he has done so.

With regard to the reason of paying 100 rupees to Larcoba, Baba says that he paid him for preparing translations of some petitions in English, which were forwarded to the Bombay Government in the cases of the disputes with Gungadhur Shastree and Bhasker Row Veetul, as well as for making copies, &c. of English papers.

II. On the 7th Shrawun Shood (14 August 1850), Wednesday, with regard to Vishnoo Narayen, Baba declares that it is the name of the deity, and in that name he has credited his private funds, bearing interest in the account books of the firm of Poorshotum Runchore, of which he himself is the proprietor.

On being questioned as to the writer of a memorandum of 20,000 rupees, dated in Sumbut 1901, found in his dufter, Baba denies all knowledge of it, and asserts that he never saw it in his dufters, and that he got nobody to write it for him. He had not absolute management of the firm during the lifetime of his master.

III. On the 14th October, Baba is examined by Colonel Outram, before whom he admits his above statement as correct.

On being told that for a sum of 100 rupees a good deal of work must be performed, and asked how much Larcoba wrote that so many rupees were given to him, Baba states that it does not depend upon the quantity of work, but it has reference to the emergency of the case, for Larcoba was not his servant, and it was necessary to pay him to get his business done.

On being told that if he had got any other man to write for him he would not have had to pay so much, and asked why he incurred greater expenses in getting Larcoba to do the work, Baba says, that as he wanted to get translations made for him, it was necessary to engage a man who was well versed in English. At this time Larcoba was in the residency office, and as Baba heard that he was clever, and held an appointment in the residency, he sent his son Anna to Larcoba, to make arrangements with him; and as Larcoba consented, Baba got him to translate the papers for him.

On being questioned whether he would have had to pay so many rupees to Larcoba if he had not been a Government servant, Baba replies, that if Larcoba had not been a public servant, Baba would have endeavoured to arrange with him for less, but as he was in the Government employ, Baba was obliged to pay him for his own necessity.

On being questioned if he got any other person to write English papers for him, just at the time he got Larcoba to prepare English translations, Baba states, that as a long time has passed since, he does not fully recollect; but as he used to get Hurba Apa, who was a writer in the office of the Rewa Kanta agency, to copy any English papers whenever he wanted, he thinks he may have got Hurba to write something for him then also.

On being questioned if he got Larcoba's relative, Mancoba, writer of the Adjutant of the 2d Grenadier Regiment, to write any English papers for him, Baba denies having done so, adding, that he is not acquainted with Mancoba, whose name he heard but this day.

(True copy of the Deposition.)

(signed) *M. Battye*, Assistant Resident.

SUBSTANCE of Baba Nafdya's Second Examination by the Baroda Durbar, 13 Shrawun Sood (20 August 1850), Tuesday.

IV. On being questioned with regard to the cause of the reduction of 3,000 rupees from the original total of 24,000 rupees from both sides of the account, and as to whom he paid the money, Baba replies, that this memorandum being a rough (or careless) draft, drawn up according

cording to whatever might have been thought of at the time, is not to be considered worthy of being chiefly relied upon; and that positive information regarding the payments will be obtained by a reference to the "chopras" (account books), without which it cannot be ascertained correctly.

On being questioned as to the time when these alterations, by which the original total of 24,000 rupees was reduced to 21,000 on both sides of the account, were made, whether at the same time that the yadee was written, or after, how many days subsequently; Baba states, that whatever alterations have been made were made just at the very time that the memorandum was drawn up, and that after these money transactions had been entered into the account books, he never saw the memorandum again. He never took the memorandum into his hands again, because all the business is carried on by referring to the "chopras," or account books.

Whether the memorandum was drawn up before or after these transactions had been entered into the account books, Baba does not recollect, as two or three years have elapsed since it was done.

On being told that he could not be believed in this, as with regard to the erasures he had so positively stated that the alterations were made at the same time that the yadee was prepared, and that it was not probable that he should forget one thing while he so well recollected the other; and on being therefore required to state the truth, on solemn affirmation, Baba says that the account books are not written by him, but by the goomasthas, who enter the transactions in the books as the money is received or paid, while the memorandum was drawn up from his own dictation; and that as all the details in the memorandum are not entered in the account books, he does not recollect whether the memorandum was drawn up before or after the items were entered into the books.

On being questioned whether this whole amount of 21,000 rupees would be found accounted for in the books, and whether he paid this money as a present, and to whom; Baba says he would examine the account books, &c, next day, and give a reply.

V. On the (Shrawun Vud 3d), 25 August 1850, Sunday, the account books being supplied to him, Baba is called upon to examine them, and give a reply to the last question.

After examining the chopras, Baba gives the following explanation:—

From the sum of 21,000 rupees, which are credited to the account of Vishnoo Narrayen, under date the 13 Jesht Sood, in his private, *i. e.* Poorshotum Runchore's account books, 18,000 rupees are debited to Narrayen Runchore by the three following items; viz.

2,000 rupees on the 4th of the 2d Jesht Vudya, account book, page 121.
12,000 rupees on the 5th - - ditto - - ditto - - ditto.
4,000 rupees on the 8th Ashad Shood, page 128.

In Narrayen Rao Runchore's account books, this amount of 18,000 rupees is credited to the account of Poorshotum Runchore, and the balance that remained in hand at the end of the month in which these sums are credited is brought forward to the account of the next month, and so on successively, according to the custom of keeping accounts; and as such cash receipts are assimilated with the balance in ready cash, out of which all sorts of expenses are continually defrayed, it cannot be ascertained in what particular way these receipts were appropriated. But on the same date that this money is credited to Poorshotum Runchore, a sum of 12,000 rupees is debited to the account of Hurree Bhugtee, where it is specified that this payment was the sum credited to the former; consequently it appears that this disbursement of 12,000 rupees was made out of the amount of 18,000 rupees, and the remainder, 6,000, assimilated with the balance, were appropriated in current disbursements. And as for the remaining amount of 3,000 rupees (out of 21,000 rupees, credited in Poorshotum Runchore's accounts), two sums, one of 100 to Larcoba, and the other of 500 to Ooka Soonee, being direct payments out of it, are noticed so in the memorandum, while the remainder, viz. 2,400 rupees, being absorbed in current expenses, it is set down in a lump in the memorandum, on account of house expenses; and on a reference to Baba's private accounts (*i. e.* Poorshotum Runchore's account books), it will be seen that the balance that remained at the end of that month in which the sum of 21,000 rupees is credited, after debiting all direct payments out of that sum, as well as other current expenses, is brought forward to the account of the succeeding month, and so on successively. Baba adds, that Sirkar knows well that all cash payments are made out of the accumulated fund, consisting of ready cash receipts from all quarters; and therefore in all such direct payments it is not certain that such a particular disbursement was made out of such a particular receipt, but that in all instances of "Juma Khurchee rukums," (that is, indirect payments through a third medium, or payments directly out of particular receipts), the connexion between the Cr. and Dr. items is referred to in the accounts.

Shrawun* (Ashwin) Shood 5th, (Thursday 10 October 1850). *S. O.

VI. On being required to state the whole amount of his private fund, and to explain how and from whence he obtained it, and where was the balance that remained after investing the sum of 21,000 rupees from it in his own firm of Poorshotum Runchore; Baba replies, that on the occasion of the marriages, &c. of his sons, his master gave him some money to defray the expenses; this, with other receipts, had accumulated into a balance. He does not recollect what part of it he had spent, and what remained, but when he opened the

firms of Poorshotum Runchore and Narrayen Rao Runchore he credited a part of this balance in their accounts. He does not, however, recollect what amount he invested in these firms: but this can be ascertained by a reference to the account books; but he has no means of showing what balance he then reserved in hand.

On being required to state where were the accounts, if he has kept any, of the sums he received on the occasion of the marriages, &c. of his sons, and of the expenses defrayed therefrom, Baba replies, that the account is rendered in his "chopras," and that it was the savings from this income that formed the aforesaid balance.

On being asked if the amount of the savings could be ascertained from the account books in which these receipts and disbursements were entered, Baba replies, that it cannot be done, as, in the account books, all the money received is shown as appropriated in making ornaments, or in defraying other expenses; but, in reality, it was not so spent, and the balance that was thus reserved was this money.

On being required to explain the cause of the discrepancies between the dates of payments as specified in the memorandum, and in the corresponding entries in the account books, and to state which of them is correct, Baba says, that the memorandum being prepared for his understanding, he dictated the dates from his unassisted memory, just as he recollected at the time, but that the dates specified in the entries in the account books are correct, that the former is incorrect, and that the latter should be relied upon.

On being told that, according to his own admission, false debits have been made in his account books to show the appropriation of the money he received for the marriages, &c., that his goomashta Nuthobaee, has deposed that he used to write the accounts as dictated to him by Baba's son, and that the same was the case regarding the amount of 21,000 rupees which Nathoo neither received nor paid; that when on former occasion the account books were examined in Baba's presence, the amount of the disbursements was found to exceed the receipts; and that as in this manner correct entries of receipts and disbursements do not appear to have been made at the time in the account books to which he refers, how can they be relied on. Baba states, in reply, that Nuthoo did not then stay with him, but was employed as mehta in the village of "Bugoomra." Babas's private cash was always in the charge of his son, who used to get the goomastha, whenever he returned from the village, or from his house, to enter into the account books whatever payments he (Baba's son) made during the goomastha's absence; in this manner the business was managed. With regard to the disbursements exceeding the receipts, Baba gives this explanation, that in case an item was debited before actual payment, which was made after some delay, such a discrepancy would be found in the accounts of that day; but, on the last day of the month, the Cr. and Dr. sides being adjusted, true balances must have been shown. Baba then adds, that these account books are not kept with the view of rendering accounts to any body; but they are his private accounts, and as such they are kept in a way just as he then liked.

On being asked if he has any memorandum showing the actual receipts and disbursements of those sums, &c., which he has represented as being falsely debited in the accounts of marriages, &c., Baba declares that he has no such memorandum besides the account books, to which he would refer for every thing.

On being questioned if it is customary to debit an item before payment, Baba admits that it is not, but says that these being his private accounts were written and adjusted any how he liked, and that they will be found to be perfectly correct on referring to the balance last shown, or at the end of every four or six months, and not (every where) in the middle of the books.

VII. On the 14th October 1850, Baba being brought before Colonel Outram for being further examined, he admits his above deposition as correct.

On being required to state on how many occasions of marriages, &c., and what sums his master Bechur Bhay paid him, Baba replies, that as the money was given to him on each occasion by his master, according to his pleasure, and not according to any fixed rule, Baba does not recollect on what particular occasion, and what amount he received. On this subject he refers to the account books, and says that he recollects this much, that on each occasion he received from 10,000 to 15,000 rupees.

On being asked to state how many marriages of his sons, &c. he had performed, and when was the first and when the last, and what time elapsed between them, Baba replies, that he does not recollect in what particular year such a marriage took place, but the first marriage of his son was in Sumbut 1891, and the last was in Sumbut 1898. During this period his four sons and two daughters were married, and the "janoyee" or thread ceremonies of his sons were performed.

Since Baba has represented that the amount of 21,000 rupeees was the accumulated savings from the expenses of these marriages, &c., he is asked to state where and how he had kept this balance from the time of the first marriage up to the last, until he invested this money in Poorshotum Runchore's firm. Baba replies, that for keeping this balance he had a separate box in which he kept these savings, &c. as they were received, but he has kept no account of the actual receipts and disbursements as well as of the amount of savings on each occasion. Consequently he has got no detailed account; and, in order to reserve this cash secret from his sons, it was kept in a separate box, while in the account books no savings were shown; consequently Baba (alone) had a knowledge of these savings. Afterwards, when he

opened

opened the firm of Poorshotum Runchore, he credited this amount in the account books of that firm in the name of another party.

On being asked how is it that he who, being the principal man in Hurree Bhugtee's shop, had so much experience in banking should have subjected himself to a loss in interest by keeping this accumulated balance at home for a period of six or seven years contrary to the usage of banking, which is not to reserve balance but to use the money to make it produce interest, Baba replies, that at first he did not carry on any trade on his own private account. He used then merely to serve his master (Hurry Bhugtee's firm) up to Sumbut 1900, in which year his master and Sirkar (Guicowar Government) caused him to establish the firm of Narrayen Rao Runchore. Afterwards he opened the firm of Poorshotum Runchore, and then, induced by the bait of interest, he credited this amount in the books of the latter firm to the account of Vishnoo Narrayen; in this entry it is specified that a note has been passed to Vishnoo Narrayen, but no note was given. It is merel yfor show that it is stated that a note has been passed, and that the sum is to bear interest.

With regard to the item of 500 rupees, found debited to Ooka Sonee, both in the memorandum and the account books, Baba is asked how it is that, on a reference to that man's accounts, a corresponding Cr. for an equal amount of the same date is not found; and that man also deposes to the same effect. Baba replies, that he told his son and goomashta, who had charge of the key of the cash-box, to give 500 rupees to this goldsmith, but how and when they paid him must be a matter of understanding between the goldsmith and themselves. As Baba had given the order for the payment of the sum of 500 rupees to the man, the whole item was accordingly debited in the account-books on one day.

(True copy of the deposition.)

(signed) *M. Battye*, Assistant Resident.

Appendix (F.)

TRANSLATED Extract from the Avra book of Pooreek Pursotumdass, Runchodedass, for Sumvut 1903.

Vishnoo Narayan in account with Pureek Pursotumdass Runchodass.

Dr.			*Cr.*
			Rs.
Second Jest Sood 13th, or 26 June 1847, A. D.	-- By ready cash received through Baba Sahib, at an interest of 4 annas per cent. per month, as per note passed, Avra, page 146, Ledger, page 77 - - - - - -		21,000 - -
Ashad Shood 12th, or 25 July 1847.	-- Ditto, received from Baba Saheb, through Appa Saheb, registered in page 156 of the Avra book, Ledger, page 77 - - - - - -		1,000 - -
Sawun, or Aug. and Sept. 1847.	-- Ditto, through Baba Saheb, during Sawun of the month, page 162 of the Avra book:—		
Sood 4th (15 August)	Rupees - - - -	1,000	
Sood 5th (16 August)	Ditto - - - -	1,000	
Sood 15th (26 August)	Ditto - - - -	600	
Wud 1st (27 August)	Ditto - - - -	200	
		2,800	
	Ledger, page 77 - - -		2,800 - -
Badurwa Shood (11 September)	Ditto - - ditto, rupees	190	
	Ledger, page 77 - - -		190 - -

(True Extract.)

Attested by

(signed) *Juweree Khoosbalchund Roopchund.*
Pureek Moolchund Veenulchund.
Pureek Bhaeechund Morarjee.

Appendix (G.) No. 1.

LEDGER BOOK of Purshtum Runchor's Firm, from Sumbut 1900 to Sumbut 1903.

Ledger, page 5.

Sumbut 1900.

Dr. Sobhagvutee Baee Saheb. *Cr.*

	Rs.				Rs.		
Page 15	50	–	–	Page 34	50	–	–
Page 16	450	–	–				

Ledger 22.

Sumbut 1901.

Dr. Sobhagvutee Baee Saheb. *Cr.*

	Rs.				Rs.		
Balance, as per list of balances	450	–	–	Page 157	1,825	–	–
Page 86, Kartik Vud 5th	150	–	–	Balance	537	3	9
Page 141, Vysack	675	–	–				
Page 148, Jest Vud 6th	1,000	–	–				
Page 157, Sawun Sood 2d	42	–	–				
Page 174, Sawun Sood 2d	45	3	9				
Rs.	2,362	3	9	*Rs.*	2,362	3	9

To Balance due, *Rs.* 537. 3. 9.

Ledger, page 39.

Sumbut 1902.

Dr. Sobhagvutee Baee Saheb. *Cr.*

	Rs.				Rs.		
Balance, page 21	537	3	9	Page 11, Magsir Sood 8th	45	3	9
	Sokars.			Page 20, Mah Sood 2d	100	–	–
Page 53, Sawun Sood 2d	23	4	14¼	Page 35, Chytur Sood 7th	100	–	–
Rs.	560	10	–	*Rs.*	245	3	9

New Ledger, page 70, of Sumbut 1903.

Dr. Sohagvutee Baee Saheb. *Cr.*

	Rs.				Rs.		
Balance, page 39	315	6	3	Page 141, 2d Jest Sood 13th	180	–	–
				Page 149, 2d Jest Vud 11th	100	–	–
Page 172, Bhadurwa Sood 5th	50	12	–				
				Page 151:			
				Tagun Vud 6th, 300 – –			
				Chytur Vud 14th, 200 – –			
				1st Jest Vud 8th, 550 – –			
				2d Jest Sood 4th, 50 – –			
				2d Jest Sood 7th, 600 – –			
					1,700	–	–
Carried over	366	2	3	Carried over	1,980	–	–

Appendix (G.) No. 2.

Dr. COPY of the Day Book for Sumwut 1902, of the Firm of Purshotum Runchor. *Cr.*

	Rs.		*Rs.*
Page 53:		Page 11:	
To cash received of Sobhawuntee Baee Saheb, Srawun Sood 2d, on account of interest, page 39 - - -	23 4 14¼	By cash paid to Sobhadwute Baee Saheb, Magsur Sood 8th, being her share in the amount received from Koli, of Magulpore Village -	45 3 9
		By cash paid on account of Sobhagwute Baee Saheb, Mah Sood 2d, for charity termed Gayawal, page 39 -	100 - -
		By cash paid to Sobhagwati Baee Saheb, Chytur Sood 7th, page 39 - - -	100 - -

Dr. Sumvut 1903. *Cr.*

	Rs.		*Rs.*
Page 172:		By cash paid to Sobhagwutti Baee Saheb, Jest Sood 13th, from the firm of Paruk Narainrow Runchor, per Abba Mama, page 149 -	180 - -
To cash received from Sobhagwuti Baee Saheb, Bhaderwa Sood 5th, being the amount lent her in Sherawan, now repaid, page 70 -	50 12 -	By Shoubagwutti Baee Saheb, Jest Wud 11th, paid in cash in part of 3,100 rupees, page 151 - - - -	100 - -
		By Sobhagtee Baee Saheb, paid from the firm of Parek Narainrow Runchor:	
		Fagun Vud 1st, per Abba - 300 - -	
		Chytur Wud 14th, per Abbanna - 200 - -	
		1st Jest Wud 8th, per Gomastha Runchor - 550 - -	
		2d Jest Wud 4th, per self, to make up books 50 - -	
		2d Jest Sood 7th, per Abba Anna, 600 - -	
			1,700 - -
Rs.	50 12 -	*Rs.*	1,980 - -

Appendix H.

ACCOMPANIMENT to the Resident's Letter of the 15th August 1850: Copy of Extract from the Chopra of Purshotum Runchor, for Sumvut 1903.

Dr. *Cr.*

	Rs.		*Rs.*
To Parek Wishno Narrain, 2d Jest Sood 13th, Cash received through Rajeshri Bala Saheb, at 4 per cent. interest, as per note, page 146 - - - - -	21,000 - -	By Parek Narainrow Runchor, 2d Jest, paid in cash, Jest Vud 7th, 12,000 - -	
		In cash, Jest Vud 5th, page 149 - 2,000 - -	
			14,000 - -
		By Sobhagwutti Baee Saheb, 2d Jest Vud 11th, paid in cash, page 149 - -	100 - -
		By Hurry Bugteedass, 2d Jest Wud 13th, cash paid per Anna Sahib to Larcoba, on your account, page 150 -	100 - -
		By Paruk Narrainrow Runchor, Assar Sood 8th, page 161, cash paid per Runchor, to make up 18,000 rupees -	4,000 - -
		By Soni Nuthooram, cash paid as per account, to Soni Ooka, Jest Sood 13th, page 149 -	500 - -

(True extract.)

(signed) *J. Outram*, Resident.

Appendix (J.)

SUBSTANCE of the Depositions of some of the Persons engaged in or present at the Examination of Baba Nafdya's Dufters, on the day the Yadee in question was discovered (these accompanied Colonel Outram's Letter, dated 31 August 1850).

I. Huree Apajee, Carkoon on the Residency establishment, deposes on solemn affirmation as follows:

THAT on the 31st July 1850, when the deponent came into the room where Colonel Outram was, to read to him certain papers and obtain his signature thereto, he saw there the native agent Soorujram, Durbar carbharee Shumbhooram, moonshee Heerachund, Sukharam, &c., engaged in examining dufturs, where Huree Bhugtee's gomashtas were also present. He heard in this assembly, consisting of about 15 or 20 men, Shumbhooram and others making inquiries among themselves about a yadee of accounts of (21,000) rupees that had been discovered. When the moonshee said that Larcoba was living in the cantonments, and with regard to "Soubhagyawutee," she was said to be a kept woman; and Shumbhooram also said that Larcoba was living in the cantonments, and "Soubhagyawutee" may likewise have been a kept woman living there. The deponent was not present when Shumbhooram drew up the memorandum and read it to the Colonel, so he does not know what Colonel Outram may have said at the time. This is all he knows.

Dated 29 August 1850.

II. Abdool Rehman, Moonshee on the Residency establishment, deposes on solemn affirmation as follows:

After stating the date, place, and the names of some of the principal persons in the assembly, consisting of about 15 or 20 men, the deponent proceeds to say, that in the duftur which he was examining, he found a yadee of accounts of (21,000) rupees, in which he saw the word "Soubhagyawutee" erased, but as it was written that Anna took (the sum) to the cantonments for Larcoba, he placed the yadee into Shumbhooram's hands, who, after reading it, gave it to the native agent, Soorujram. An inquiry about this yadee then ensued amongst themselves, when Shumbhooram said that Larcoba was in the residency office during the time of Mr. Andrews, and that there was a kept woman, and "Soubhagyawutee" may have been written for her. The deponent also supported this statement, that in Mr. Andrews' time Larcoba lived in the cantonments, and there was likewise a kept woman, by name Doolum. During further discussions, Shumbhooram said that after Mr. Andrews' arrival from Surat, Moongajee came from thence, and got his relative Larcoba an appointment in the residency, and as the former was Mr. Andrews' favourite, the latter became so likewise. Shumbhooram drew up a memorandum about this inquiry, and read it to the Colonel, who asked, that as Mr. Andrews was not in Baroda on the date mentioned in the yadee, why should any payments be made to his carbharee? In reply to this inquiry, Huree Bhugtee's gomashtas talked over the matter among themselves, and said something, but the deponent does not recollect what explanation was given by them.

Dated 29th August 1850.

In his subsequent deposition, dated 10th September (which accompanied Colonel Outram's letter of the same date), the deponent admits his having given the information that the woman Doolum was dismissed for illicit intercourse with a Bargeer of the Hoojrat Paga, and that she was gone to Ahmadabad. A short time after Mr. Andrews' return to Surat, that is within about five or six months, Doolum returned from Surat, when the deponent heard people talk that she was dismissed for the above reason. The deponent knew this, as he lives in the cantonments.

III. Vishwanath Gopal, an inhabitant of Baroda, deposes on solemn affirmation as follows:

After mentioning the names of some of the persons in the assembly, consisting of about 20 men, engaged in examining Baba Nafdya's dufters in Colonel Outram's room on the 30th or 31st (August), the deponent proceeds to state that he does not well remember who found the yadee in question, but that the moonshee gave it to Shumbhooram, who read it, and showed it to all. The deponent then gives an account of the erasures and alterations in figures that he observed in that yadee, which, he says, excited the suspicions of all present, who began to inquire about it by questioning one another. Baba's Googerattee and Maharattee accounts were brought, and this yadee was compared with them. The Cr. side was found to agree, but the debit side did not. On inquiry, Huree Bhugtee's goomashtas declared that there was no individual by name Vishnoo Narrayen in Baroda, and that they did not know any such person. With regard to Larcoba and "Soubhagyawutee," all said that Larcoba was a relative of Moongajee, who had great friendship with Mr. Andrews; and that after this gentleman came to Baroda as Resident, Moongajee came here, lived in the cantonments, and got an appointment for Larcoba, who likewise lived in the cantonments, and to whom Mr. Andrews was also very kind, and "Soubhagyawutee" was a kept mistress living in the cantonments, to whom Larcoba used to go. This information was obtained from the moonshee, &c. Shumbhooram then drew up a memorandum of what had come to light, and read it to Colonel Outram, who asked, that as Mr. Andrews was not

here

here on this date, why should any money have been paid to his carbharee? upon which Huree Bhugtee's goomashtas did say something, but the deponent does not remember well to what subject they may have referred, and therefore he cannot state it. Moongajee used to go through the town in a "gadee" (carriage).

Dated 29 August 1850.

IV. Runchore Nuttoo, Baba Nafdya's Goomashta, deposes on solemn affirmation as follows:

He does not recollect in what dufter the yadee in question was found. He was questioned with regard to the sum of 4,000 rupees stated therein as paid through him, which formed a part of 18,000 rupees, and that his reply was, that whatever may have been entered in the account books was true; and with regard to the other entries, Huree Bhugtee's goomashtas, and others who were present, were questioned, but the deponent does not recollect any thing of it. He does not recollect what answer he gave when the account books were shown to him. In the account books the sum of 4,000 rupees is stated to have been drawn from Poorshotum Runchore, and paid to Narraenrao Runchore, but the deponent does not recollect from whence he took the money, and to whom he paid it. He does not know Vishnoo Narrayen, and never received from him, nor paid to him any sums. He does not recollect where the native agent and Shumbhooram, &c. were sitting when inquiries were made about the yadee in question, and when the deponent was asked about the sum of 4,000 rupees, nor at what distance he was then seated from the assembly.

Dated 27 August 1850.

V. Nuttoo Gulal, Baba Nafdya's Goomashta, deposes on solemn affirmation as follows:

The deponent was not present on the day when the yadee in question was found, but having been sent for, he appeared at the residency on the following day, where the native agent, Shumbhooram and Huree Bhugtee's goomashtas, &c. were present. The native agent then questioned him about Vishnoo Narayen, and the deponent's answer was, that he knew no such person; but that the name was written in "the chopras" according to Baba's instructions. The deponent writes "the chopras" or account books of Baba's private firm, called Poorshotum Runchore. He does not know whether or not the money was received, and from whom, and whether or not any payments were made to Narayenrao Runchore and others, as mentioned therein, because he wrote the accounts as dictated to him by Baba's son or his "Duxnee carkoon." But the accounts with sowcars and others were adjusted according to the account books (of the firm) written by the deponent, and should any discrepancy arise at any time, it was cleared by a reference to Baba; but the deponent knew nothing of the actual receipts and disbursements; accounts with Vishnoo Narayen were never adjusted. This person never came to the deponent. He used to write notes (for money received from any party), and Baba signed them; and the transactions were accordingly entered in the account books. No notes were passed to those with whom there was a regular account current. He did not write the note stated in the accounts to have been passed to Vishnoo Narayen. He knows nothing of this money transaction as he was then gone to Nowsaree for Baba's business, and after his return from thence, Baba's son, Anna Saheb, dictated the entries to him from a paper, and he wrote them accordingly, and therefore knows nothing further. Under such circumstances he was ignorant of the cause of the erasures in the yadee in question, which were made at the time of understanding the accounts, while the entries in the "chopras" were made subsequently. The transactions were settled by themselves first.

On being questioned with reference to a copy of the original yadee shown to him, the deponent observes, that as the subsequent corrections are made not only in one place, but the figure 3 has been erased from the corresponding entries on both sides of the account, the figure 4 of the sum of 4,000 in which is embodied the sum of 3,100 rupees, is likewise altered to 1, and the figures of the total have in all places above and below been altered from 24,000 to 21,000, by converting the second figure 4 into 1; it cannot be said that the alterations were made to correct an error (of oversight); but whether the amount received was actually less by 3,000 rupees, or for what other arrangement this sum of 3,000 rupees was afterwards erased from the yadee, he does not know, as he was not present when the yadee was drawn up. The transactions were but subsequently entered in the account books, as stated above.

On being questioned as to whom the sum of 24,000 rupees, stated for house expenses, was paid, the deponent denies all knowledge of it, as he was ignorant of the whole of this transaction.

Dated 27 August 1850.

VI. Dulputram Kessnodas, Huree Bhugtee's Goomashta, deposes on solemn affirmation as follows:

After mentioning the day and the assembly, the deponent states, that the yadee in question was read by all who knew Marattee. He then gives a detail of the entries therein so far as he recollects it, as he had heard others read it on the occasion, and states, that he had also heard them all notice the erasure of 3,000 from the item of 3,100 debited to "Soubhagyawutee Bayee," and remark that originally 24,000 rupees were credited, and

as many were debited; but that subsequently 3,000 rupees were reduced from both sides of the accounts, and the figures of the total have in consequence been altered to 21,000. All said that no such person as Vishnoo Narayen was known in Baroda. With regard to Larcoba and "Soubhagyawutee Bayee," they were questioning one another when somebody said, that Larcoba and Moongajee were related to one another, and that the former, who lived in the cantonments, obtained an appointment in the residency through the latter (Moongajee), from Mr. Andrews. He did not hear what passed in the inquiry about "Soubhagyawutee," as he was outside the room, and engaged in examining papers.

On being questioned with reference to a copy of the original yadee shown to him, the deponent states, that the subsequent reduction of 3,000 from the original sum of 24,000, effected by erasures, does not seem to have been made to correct an error committed inadvertently, as the corresponding corrections have been made in several places; but it appears to have been done intentionally, with the view of self-understanding as well as of deceiving the understanding of others.

Dated 29 August 1850.

VII. Peetamber Govind, Huree Bhugtee's Goomashta, deposes on solemn affirmation as follows:

After mentioning the day, place, and assembly, the deponent states, that as he knew Maratee, he also read the yadee found in Baba Nafdya's private dufters. He gives a detail of the entries therein; notices the erasure of the word "Soubhaghyawutee," and the addition of the sentence regarding Larcoba, subsequently subjoined to this item, and mentions the alterations made in the debit, as well as the credit side, for the reduction of 3,000 rupees from the original amount of 24,000 rupees. During the inquiry which ensued, all said that they did not know any such person as Vishnoo Narayen living in Baroda. Moonshee said that Larcoba, who was a relative of Moongajee, held an appointment in the residency in the time of Mr. Andrews. With regard to "Soubhagyawutee Bayee," all said that she was a kept woman, but the deponent did not hear them say by whom she was kept, or what was her name; this was all. That he had heard them all talking on the occasion: he does not recollect to have heard anything further pass among them.

On being questioned with reference to a copy of the original yadee shown to him, the deponent gives his opinion with regard to the reduction of 3,000 rupees from the amount of 24,000 by erasures, that it cannot have been done to put right an error caused by oversight, but that it appeared to be a fraudulent correction, made with the view of personal knowledge, and of evading the attention of others.

Dated 29 August 1850.

VIII. Bhyjee Ghela, Huree Bhugtee's Goomashta, deposes on solemn affirmation as follows:

Like the rest, the deponent states the day, place, and the assembly, says that the yadee in question was discovered by the moonshee, who showed it to Shumbhooram. The deponent gives a detail of the entries, so far as he recollects them; notices the reduction of the item of 3,100 rupees debited to "Soubhagyawutee Bayee" to 100 by an erasure, and mentions that in this entry of 3,100 it is specified, "Anna took to the cantonments for Larcoba," as he had heard them talk with one another. Huree Bhugtee's goomashtas, including himself (the deponent), had stated that they knew not any such person as Vishnoo Narayen residing in Baroda, and though Huree Bhugtee's was a great firm, it had no transactions with any such man, and consequently it was a fictitious name. Moonshee and Sumbhooram, &c. said to one another that there was one Moongajee that had come from Surat to pay a visit to Mr. Andrews, with whom he had friendship; that this Moongajee sent for his relative, Larcoba, from Surat, and got an appointment for him in the residency; and that this Larcoba, to whom Mr. Andrews was very kind, resided in the cantonments. By inquiries among themselves it was found out that "Soubhagyawutee" may be the kept woman, Doolun, who resided in the cantonments: but the deponent does not now well recollect who then gave this information; Shumbhooram drew up a memorandum of this result of the inquiry, and when he read it, Colonel Outram inquired that though they all suspected him, yet, as Mr. Andrews was in Surat on the date specified in the yadee, why should any money have been paid then. All the goomashtas thereupon replied that the money might have been paid on account of the great case of the Nawab that was about to come (before Mr. Andrews) in Surat, or it might have been a subsequent payment in fulfilment of a prior agreement that might have been entered into about the case, involving the dispute regarding "Potedary" with the Shastrees Gunghadhur Shastree's son. This would give rise to the discrepancy about the dates. It was Baba's custom to make payments at one time, and debit them in the accounts at any other time; and as the man in whose name the sum is credited was unknown, the goomashtas (including the deponent) distinctly stated that the money was paid to Larcoba, &c., because it was written that Anna, who is Baba's son, went to the cantonments to make the payment.

On being questioned with regard to the erasures, with reference to a copy of the original yadee shown to him, the deponent gives the same opinion as deponent, No. 7, that it was an intentional act, and not the correction of a mistake committed by oversight.

Dated 29 August 1850.

IX. Bhugwan

IX. Bhugwan Bhuwanee, Huree Bhugtee's Goomashta, deposes on solemn affirmation as follows:

After mentioning the day, place and the assembly, the deponent states that the yadee which had been found was given by a carcoon* to Shumbhooram, who, after perusing it, gave it to carcoon Vishwanath. The deponent then relates some of the entries therein, and notices the reduction of 3,000 rupees from the total amount of 24,000 rupees, originally credited and debited, by erasures, as he heard them all talk on the occasion. In reply to the inquiries made by Shumbhooram and the native agent, all said that there was no such individual as Vishnoo Narayen living in Baroda, and they had no money transactions with him. On inquiry about Larcoba, it was ascertained that he was an inhabitant of Surat, for whom Moongajee got an appointment in the residency from Mr. Andrews, and to whom that gentleman was very kind. On inquiring about "Soubhagyawutee," she was said to be a kept woman, Doolun: the deponent heard moonshee say so. This woman was now in Ahmedabad, and since the figure (3) from the amount of (3,100) rupees, at first debited to "Subhagyawutee," was erased, and Baba's son, Anna, was stated to have taken the money to the cantonments; all believed that the money was paid to Larcoba, &c. When Shumbhooram read a statement of all this to Colonel Outram, that gentleman inquired as to the cause of this payment to Larcoba when Mr. Andrews was not in Baroda, to which the general reply was that a promise may have been made when there was any business, but it may not have been fulfilled at the time, or that there may have been some great case pending in Surat; but what that may have been, the deponent does not recollect, but all had then conjectured that it might have been paid for the Nawab's disputes, or that when the dispute with the Shastree was going on at Baroda, at first an agreement might have been made, and it might have been fulfilled subsequently, and this would occasion a discrepancy in the dates. It was Baba's custom to cause entries to be made in the account books any time he liked after he had made payments himself, and debit them to different accounts from those to which the entries rightly belonged, so that they could not fully understand the transaction; consequently as the payment was made by Baba, he must know all about it. The deponent has related above what he had heard on that occasion.

*Name is not mentioned.

On being questioned with reference to a copy of the original yadee shown to him, the deponent gives the same opinion as No. 6, regarding the reduction of 3,000 rupees from the original total of receipts and disbursements of 24,000 rupees effected by erasures, as the consequent alterations in figures are made in more than one place.

X. Lulloo Bhugwan Wayada, Huree Bhugtee's Goomashta, deposes on solemn affirmation, as follows:

After mentioning the day, place, and the assembly, the deponent states, that after Shumbhooram had perused the yadee in question, it was read by those who knew Marattee. He heard then that at first a sum of 24,000 rupees was credited in the name of Vishnoo Narayen, which figures were altered to 21,000 rupees; that on the debit side, likewise, figure 3 was erased from 3,100 rupees debited to "Soubhagyawutee;" that this entry was preceded by one of 18,000 rupees debited to Narayenrow Runchore; and that to the entry of 3,100 rupees was added, "Anna took to the cantonments for Larcoba." The deponent says, that on being questioned by Shumbhooram and the native agent, all present replied that Vishnoo Narayen appeared to them to be a fictitious name; moonshee and Shumbhooram, &c. then said, that after Mr. Andrews became resident, Moongajee, who had good friendship with that gentleman, came here and got for his kinsman Larcoba an appointment in the residency. Mr. Andrews was very kind to Larcoba. On inquiry about "Soubhagyawutee," she appeared to be a kept woman, residing in the cantonments, and her name was stated by the moonshee to be Doolun; Shumbhooram wrote a yadee stating this result of the inquiry, and read it to the Colonel, who asked then as to the cause of paying any money to Mr. Andrews' carbharee when that gentleman was absent from this station. The deponent represents all the goomashtas having given the same reply on this point as stated by No. 8, and adds, that Baba would enter the items in the account books under any head he chose, and as the money was credited under a fictitious name, and debited, it clearly appeared to them that payments were actually made to Larcoba, &c.

On being questioned with reference to a copy of the original yadee shown to him, about the erasures made therein to reduce the original amount of 24,000 to 21,000 rupees, the deponent gives the same opinion as No. 7. He further adds, that Shumbhooram then stated that Moongajee came into the town in Saheb's (Mr. Andrews') carriage, and as the deponent had seen Moongajee two or four times driving in the carriage, he had supported this statement, and moonshee also said the same. The deponent had also seen Anna frequenting Larcoba's place in the cantonments, and had therefore represented the same.

Dated 29 August 1850.

XI. Icharam Punarshee, Huree Bhugtee's Goomashta, deposes on solemn affirmation, as follows:

After mentioning the day, place, and assembly, and stating the entries and erasure of 3,000 rupees, observed in the yadee which was shown by the carkoon † to the native agent and to Shumbhooram, the deponent says, that when questioned they represented that there was no such man as Vishnoo Narayen in Baroda, and they were not aware of any money transactions

† Name is not mentioned.

transactions having taken place with him; Larcoba was a relative of Moongajee, a purbhoo of Surat, to whom the (late acting) Resident, Mr. Andrews, was very kind, and in whom that gentleman placed confidence; this Moongajee had come to Baroda to get Larcoba employed in the residency, consequently Mr. Andrews was kind to Larcoba also; Larcoba resided in the cantonments, as did also a kept woman. As "the Bayee" and Larcoba's name appeared contiguous, and Baba's son was stated to have taken the money to the cantonments, as the figure 3 from the sum of (3,100) rupees debited to "Bayee" was erased by the finger, and the sums on the credit side were likewise altered, as Gungadhur Shastrees, &c. disputes were then pending in the residency, and as the money was sent by Baba with his son, all believed that Baba had paid it to Larcoba, &c. Upon this Colonel Outram remarked, that though they all had suspected the matter to refer to Shastree's case, &c., but Mr. Andrews had left the residency before the date of the entry. In reply to this, the Colonel was informed that it was possible that a private memorandum of the payment made when necessary could be kept, and that it could be entered into "the chopras" under different dates and heads as one chose; should this money have been paid in this manner at first, and entered into the accounts afterwards, the dates would not perfectly coincide. The deponent has stated this result of the inquiry, as it took place in his presence, at the time the yadee in question was found.

On being questioned with reference to a copy of the original yadee shown to him, the deponent gives his opinion with regard to the erasures made to reduce the original amount of 24,000 to 21,000, that as the corrections are made in more than one place, they could not have been made to rectify an error inadvertently committed, but must have been made knowingly according to one's understanding (of the transaction).

Dated 29 August 1850.

XII. Damodur Doolubdas, Huree Bhugtee's servant, deposes on solemn affirmation, as follows:

After mentioning the place and the names of some of the principal persons in the assembly, the deponent proceeds to state, that, in the presence of all, the Maratha yadee of accounts was found in Baba's private dufters on the 31st July 1850, which the carcoon * engaged in examining these dufters read out. In this (21,000) rupees were credited in the name of one Vishnoo Narayen.

* Name is not mentioned.

On being questioned by the native agent and Shumbhooram, (all Huree Bhugtee's goomashtas) stated, that there was no such person living in Baroda, and that they were not aware of any pecuniary transactions having taken place between him and their firm. On the debit side there was an entry of (3,100) rupees in the name of "Soubhagyawutee," of which the figure 3 was erased, and which was preceded by one of 18,000 rupees debited to Narayen Row Runchore, and underneath which was a remark "Anna took to the cantonments for Larcoba." On inquiring among themselves, all said that "Soubhagyawutee Bayee" was meant for a kept woman; that Larcoba, who was Moongajee's relative, was sent for by the latter, who got him an employment; and that during the time Mr. Andrews was Resident in Baroda, Larcoba and the woman lived here; this they said as they knew it; but it was not then ascertained as to where the woman was at present. This was the inquiry made in the presence of all on the day when the paper was found, the result of which was communicated to Colonel Outram, to whom "the yadee" in question was shown; when that paper was signed by Colonel Outram, and when Shumbhooram read to him the yadee regarding the inquiry about Larcoba, and the place where the kept woman was, the deponent was close by, and so he then learned that the name of the kept woman was Doolun, who resided in the cantonments, but was at present in Ahmedabad, and that Larcoba, who is Moongajee's relative, was with Moongajee in Surat, in the service of Mr. Andrews; in the memorandum of 21,000, at first on the credit side, was entered a sum of 24,000, among the details of which was a sum of 4,000, dated 4th Dureetaya Jesht Wudya; the details of this latter sum were 350, 550, 3,100, of these the figure 3 from 3,100 is erased, and the figure of 4,000 is altered to 1,000, and the figure of 24,000, opposite the name of Vishnoo Narayen, is altered to 21,000; in this manner 3,000 are reduced from the credit side. In the same manner, from the Dr. side, the figure 3 of the item of 3,100, debited to "Soubhagyawutee Bayee," is erased, and the second figure (4) of the total of 24,000 is altered to 1, to make it 21,000; in this way 3,000 rupees are reduced from both the Cr. and Dr. side of the accounts.

On being called upon to give his opinion with regard to these alterations, the deponent observes that as the item of 3,100, debited to "Soubhagyawutee," is immediately subjoined, by a remark that the money was paid to Larcoba, wherein Baba's son, Anna, is specified as the medium; that as the figures of the total of the Cr. and Dr. side have been subsequently altered to meet the reduction of 3,000 rupees; and that as this suspicious item was credited under a fictitious name, and erasures and alterations were made in these accounts, all who saw the yadee were satisfied that the payments were made as originally debited in the yadee, but that with the view of deceiving the understanding of others, the figure was subsequently erased, and the paper was preserved in this form, in order that the writer should understand it whenever he referred to it, but no other person inquiring about it should be able to make it out quickly. Colonel Outram then remarked, that though they supposed the yadee to refer to illicit transactions, yet why should any money have been paid to Mr. Andrews' officers, &c. during the absence of that gentleman from this station? In reply

reply to this, all observed that Larcoba was then in Baroda, that Mr. Andrews had gone only just about that time, and that there was a great case pending in Surat; but which case they all then represented to the Colonel, the deponent does not recollect.

Dated 27 August 1850.

XIII. Accompaniment of Colonel Outram's Letter, dated 10 September 1850:

In the statement of Shumbhooram Khoossal, a carcoon of the Guicowar Government, admitted by him on solemn affirmation before Colonel Outram, he deposes as follows:

On the 7th of Ashad Vudya (31 July 1850), while the Residency carcoons were engaged in examining dufters in a room in the Resident's bangloe, where there were about 20 or 22 persons, the moonshee found a Marathee yadee in Baba's private dufters, which he read, and gave to the deponent. In this, originally, a sum of 24,000 rupees was credited in the name of Vishnoo Narayen, which amount is altered to 21,000 by erasing the figures. On questioning Huree Bhugtee's goomashtas, &c., it appeared that there was no such banker as Vishnoo Narayen in Baroda, and no money transaction had taken place in this name. Again, on the debit side, 18,000 rupees are debited to Narayen Runchore; then 3,100 to "Soubhagyawutee Bayee," which item is immediately subjoined by a remark, "8th of the latter half (of the month), Anna took to the cantonments for Larcoba." Underneath this are the entries of 500 on account of goldsmith, and 2,400 on account of house expenses. The total of all these items was first put down at 24,000 rupees. Afterwards, from a sum of 3,100, credited on the 8th of the latter half of the month, the figure (3) is erased, and by correcting in three or four places, the total on the credit side has been altered to 24,000. On the other hand, from the sum of 3,100 debited to "Soubhagyawutee Bayee," the figure (3) is erased, a line is drawn through the name of "the Bayee," and the figures of the total of the debit side are altered to 21,000. Huree Bhugtee's goomastas represented that the Anna referred to, was Baba Nafdya's son; the yadee therefore excited the suspicions of all, and as Colonel Outram was then present in the room, the matter was represented to him that very same time, when he remarked that Mr. Andrews was not in Baroda on the date mentioned in the yadee. Huree Bhugtee's goomashtas stated in reply, that some other case was about to come in Surat. Regarding Larcoba, Colonel Outram was informed that he was the son of the sister of Moongajee's wife; that this Moongajee obtained an appointment for Larcoba, when he came here during the time Mr. Andrews was (acting) Resident, and that Larcoba was in the Treasury (accountant's department) for some time; and as the deponent and others knew him, they gave the above information. On inquiring about "Soubhagyawutee Bayee" on the same occasion, the residency moonshee stated that a woman, by name Doolun, kept by Mr. Andrews, was here about that time; that she and Larcoba both lived in the cantonments, and that she was now in Ahmedabad, as Mr. Andrews had dismissed her for illicit intercourse with a Bargeer of the Hoojrat Paga. About this result of the inquiry, the deponent drew up a memorandum according to the opinions of all, and delivered it over to Colonel Outram.

Dated 10th September 1850.

In his subsequent deposition,* dated the 16th idem, Shumbhooram denies being on friendly terms with Baba Fudkya, and positively declares that he has had no communication with that individual on the subject of this yadee. Shumbhooram further states therein, that with regard to Mr. Andrews and Moongajee driving together in a carriage, he then represented to Colonel Outram what he heard all say on the occasion. As he was a servant of the Guicowar government, and resided in the town, he had not personally seen them (taking a drive side by side).

* This accompanied Colonel Outram's letter, dated 16 September 1850.

XIV. Native Agent Soorujram† Gungaram, deposes on solemn affirmation as follows:

† His deposition accompanied Colonel Outram's letter, dated 10 September 1850.

As Baba Fudkya is much in the habit of coming to the cantonments, he came to the deponent's quarters once or twice; and as the deponent is in the habit of going to Mr. Hykoop's (the head writer's) bangloe sometimes, he meets Baba Fudkya there occasionally. On these occasions, Baba represented to him his case, and complained of the conduct of the Guicowar Government towards him; but he did not talk to him about the case of 21,000 rupees; nor did the deponent communicate the matter to that individual, as he had no business to do so. At Baba's request, the deponent represented his case to Colonel Outram, who directed him, in reply, that pending the receipt of Government's instructions in Baba's case, which had been referred to that authority, he was not to be permitted to come to the residency; and that the deponent should, therefore, hold no communication with him about any public matters, but should refuse him admission if he came to the residency. The deponent accordingly informed Baba of the same.

Appendix (K.)

(This accompanied Colonel Outram's letter, dated 15th August 1850).

NOTES on the discrepancies between the Yad found among Baba Nafra's private papers, in which the sum of rupees 21,000 (altered from 24,000) is credited to "Vishnoo Narayen," and the entry in the public chopras of 21,000 rupees to the credit of Paruk "Vishnoo Narayen."

1. THERE is no such person as the "Vishnoo Narrain" of the former, or the "Paruk Vishnoo Narrain" of the latter.

2. The item of rupees 3,100 paid to "Soobagwuntee Baee," altered to 100 for payment to Larcoba, by a stroke through the woman's designation (which is quite legible) and a blotch over (the first figure 3 of the item, the figure being also visible) of the yad, is altered in the chopra to "Soobagwuntee Baee Sahib" paid 100, besides a separate item of 100 rupees paid to Larcoba. Moreover the latter exhibits, "Paid on account of Hurry Bhugtee to Anna Sahib for Larcoba," whereas in the former it is "taken to camp by Anna Sahib for payment to Larcoba 3,100," altered as above stated to 100.

3. In the yad, the total of the whole item credited to Vishnoo Narrain is 24,000 altered to 2,100,* to meet the erasure of 3,000 paid to Soobagwuntee Baee and Larcoba. In the chopra the total is 21,000.

* *S. O.*

N. B.—The soukars explain the term "Soobhagwuntee Baee," as being usually applied to either a wife or a kept woman; but that, in the former case, where the party is so respectable as the wife of a sowcar, it would be written "Soobagwuntee Sahib;" but that the "Sahib" would be omitted, where applied to a kept woman. It will be remarked, that in the yad, the term is applied without the "Sahib." In the chopra the Sahib is written.

Further causes for concluding that the chopra items are entered to conceal the destination of the sum of 24,000 rupees credited to the imaginary "Vishnoo Narrain," the whole amount having gone "to the camp" for Larcoba and the woman, is the clumsy and irregular manner in which answering items have been inserted in the regular chopras, which will be best understood by a reference to my queries to the sowkars.

Moreover "Anna Sahib" is the son of Baba Nafra, who it is not likely would be "sent to camp" merely as the trustee of 100 rupees.

(signed) *J. Outram,* Resident.

Appendix (L.)

TRANSLATED Substance of a Goozerattee Memorandum, by Shumhooram, which accompanied Colonel *Outram*'s first Note, dated 31 July 1850.

ON examining the private account books of Baba Nafdya, a yad containing transactions from 2d Jesht (intercalary month) to Assad Shood (5th June and July, A.D. 1847), was found therein.

In the above yadee, 21,000 rupees are credited by different items, in the name of one Pureek Vishnoo Narayen. There being no firm of this denomination, the amount appears to have been credited under a fictitious name, while among the items of disbursements there is one of 18,000 rupees, debited to Narayen Runchore; next to which 3,100 rupees are put down in the name of "Soubhagyawutee Bayee," and over this line† only, a stroke is drawn, and "a remark is affixed to the effect that on the 8th Wuday, Anna took to the cantonments for Larcoba." In the same way as stated in this yadee, these rupees are brought to account in the rozmail (day book), "survaya" (abstract of the annual account), and other papers connected with the accounts for the year Sumbut 1903. This appears to be a proof of the disbursements having been made as stated in the yadee.

* *N.B.*—Meaning the words "Soubhagyawutee Bayee Yanchey Navey.

On inquiring as to Larcoba, it appears that he is a "bhanej" (sister's son) of Purbhoo Moongajee, of Surat. Formerly, when Mr. Andrews was Resident, Moongajee came here to pay him a visit, and remained here for about two months: just about that time, the situation of an English writer in the Residency Treasury having been given to Larcoba, who was invited here. Larcoba was in Baroda. After Mr. Andrews' return to Surat, Larcoba was called back there, and he now serves at Broach, in a department which is under that gentleman.

On considering about "Soubhagyawutee," she is a woman, by name Doolun, who was kept by Mr. Andrews, who brought her from Ahmedabad; she lived in the cantonments; but having been subsequently dismissed, on account of holding illicit intercourse with a Bargeer, she is now in Ahmedabad.

Dated 31 July 1850.

(True copy.)

(signed) *J. Outram,* Resident.

Appendix (M.)

Copy of the Ledger Book of Purshotum Runchor, for Sumvut 1903.

Ledger, page 57.

Dr. Pureek Narraenrao Runchordas. *Cr.*

	Rs.				Rs.		
Amount brought forward from the list of balances, page 6 -	22,709	8	19½	Page 82, Kartik Sood - -	2	–	–
Page Kartuk: Rs.				Page 112, Mah Sood 11 -	50	–	–
Kartuk, p. 181 1,353 – –				Page 126, Phytur Vud 11 -	400	–	–
Ditto, p. 153 8,324 – –	2,185	4	–	Page , 1st Jest Wud 11, for Sonee Ooka - - -	200	–	–
Magsur:				Page 149, 2d Jest:			
Page 153 - 271 6 –				Vud 5 - - 2,000 – –			
Page 84, Sood 1st - - 539 – –				Vud 7 - - 12,000 – –	14,000	–	–
Page 95 - 1,038 7 9	1,848	13	9	Page 152:			
Poush:				Pursotum Vamun - 1,675 – –			
Page 102 - 562 – –				Furusram Sakur - 72 – –			
Page 153 - 510 – –	1,072	–	–	Bakshi - 2,150 – –			
Mah:				Kothar Ramrow - 28 – –	3,925	–	–
Page 111 - 2,501 14 9				Page 158, Assar Sood 8th -	183	–	–
Page 153 - 211 8 3	2,713	7	–	Page 161, Assar Sood 8th -	4,000	–	–
Fagun:				Page 164, Shrawun Sood 4th	25	–	–
Page 168 - 621 13 6				Page 178, Bhadurwah - -	1,211	5	9
Page 153 - 754 5 –	1,376	2	6	Page 181, Asso - - -	4,348	10	–
Chytur:					28,344	15	9
Page 123 - 3,076 – –				By Balance - - -	24,915	5	–
Page 153 - 344 – –	3,380	–	–				
Vysak:							
Page 134 - 1,290 8 –							
Page 153 - 583 – 9	1,873	8	9				
First Jest:							
Page 140 - 1,751 8 –							
Page 153 - 765 8 –	2,517	–	–				
Second Jest:							
Page 145 - 1,162 8 –							
Page 153 - 1,200 – –	2,362	8	–				
Page 157, Assur - -	259	2	–				
Page 163, Savun - -	254	–	–				
Page 171, Bhadwah - -	3,338	9	–				
Page 179, Asso - -	6,182	15	–				
Page 180, Assar Vud 5 -	249	–	–				
Page 182, Mah Sood 1 -	44	4	3				
			Dokras.				
Page 186, Asso Vud 15 -	893	8	20				
Rs.	53,260	–	3½	Rs.	53,260	–	3½

	Rs.				Rs.		
To Balance - -	24,915	–	5 dokras.	Page 183, St. 1902, Asso Vud 15th - - - - -	5,116	8	16½
Page 187, Assar Sood 2d	27,073	5	9 pice.	Page 187, Asso Vud 15th -	16,017	–	–
Page 187, Assar Vud 15th, on account of interest - - -	99	12	21 dokras.		21,133	8	16½
				By Balance - - - -	3,954	8	20½
Rs.	52,088	4	12 dokras.	Rs.	52,088	4	12

To balances due on Asso Vud 15th - - Rs. 30,954. 8. 20½.

My Native Agent declares that the above are true extracts taken in his presence.

(signed) *J. Outram*, Resident.

Appendix (N.)

Ledger Book of Naranrow Runchor's Firm, for Sumvut 1903.

Ledger, page 55.

Dr. Purshotumdass Runchordas, for Sumvut 1903. *Cr.*

	Rs.				Rs.		
Page 76, Kartuk Sood:				By Balance as per last balance list for Sumbut 1902, with interest at 4 per cent.			
Sood 1st -	175	–	–		17,593	–	6
Sood 9th -	1,200	–	–				
Vud 3d -	250	–	–				
			1,625 – –	Page 74, Kartuk:			
Page 81, Magsur:				Sood 1st -	150	–	–
Sood 5th -	50	–	–	Sood 6th -	75	–	–
Sood 14th -	175	–	–	Sood 10th -	125	–	–
			225 – –	Sood 14th -	200	–	–
Page 87, Poush:				Sood 15th -	175	–	–
Sood 12th -	175	–	–	Sood 15th -	167	4	–
Sood 10th -	50	–	–	Vud 2d -	25	–	–
Vud 7th -	24	–	–	Vud 8th -	34	–	–
			249 – –	Vud 9th -	200	–	–
Page 92, Mah:				Vud 10th -	350	–	–
Sood 14th -	175	–	–	Vud 12th -	400	–	–
Ditto, 15th -	8	–	–	Vud 14th -	140	–	–
Ditto, 11th -	50	–	–				2,041 4 –
			233 – –	Page 81, Magsur:			
Page 97, Fagun:				Sood 2d -	269	8	–
Sood 4th -	175	–	–	Sood 3d -	221	–	–
Ditto, 9th -	8	–	–	Sood 4th -	198	–	–
Ditto, 13th -	28	–	–	Sood 4th -	65	–	–
			211 – –	Sood 5th -	150	–	–
Page 104, Chytur Sood 12th			183 – –	Sood 6th -	120	–	–
Page 111, Vysak Sood 13th -			183 – –	Sood 10th -	34	12	–
Page 115, Jest Sood 5th -			183 – –	Sood 11th -	118	–	–
Page 121, 2d Jest:				Sood 8th -	62	3	9
Sood 6th -	700	–	–	Vud 10th, page 83 -	77	–	–
Vud 4th -	183	–	–	Sood 11th -	12	14	–
Vud 7th -	12,000	–	–	Sood 15th -	100	–	–
Vud 15th -	2,000	–	–	Vud 1st -	200	–	–
Chytur Vud 11th -	400	–	–	Vud 2d -	44	–	–
			15,283 – –	Vud 3d -	61	12	–
Page 128, Assar:				Vud 12th -	128	8	–
Sood 8th -	183	–	–				1,862 13 9
Sood 9th -	4,000	–	–	Page 87, Poush:			
			4,183 – –	Sood 2d -	199	–	–
Page 133, Sawun:				Sood 3d -	300	–	–
Sood 10th -	183	–	–	Sood 4th -	162	–	–
Sood 11th -	25	–	–	Sood 4th -	10	–	–
			208 – –	Vud 7th -	150	–	–
Page 137, Bhadurwa:				Vud 10th -	51	–	–
Sood 2d -	134	6	3	Sood 1st -	130	–	–
Sood 9th -	183	–	–				1,002 – –
Vud 1st -	710	15	6	Page 91, Mah:			
			1,028 5 9	Sood 1st -	36	1	6
Page 138, Bhadurwa:				Sood 3d -	175	–	–
Sood 15th - - -			15 – –	Sood 1st -	30	–	–
Page 142, Aso:				Sood 5th -	61	8	3
Sood 5th -	183	–	–	Sood 6th -	200	–	–
Sood 5th -	1,868	–	–	Sood 9th -	200	–	–
Vud 3d -	175	2	6	Vud 1st -	350	–	–
Vud 8th -	200	–	–	Vud 6th -	100	–	–
			2,426 2 6	Vud 10th -	300	5	3
Page 144, Aso Sood 13th -			1,500 – –	Sood 5th -	110	8	–
Page 145, Aso month - -			16,472 7 6	Vud 7th -	150	–	–
Page 145, ditto - - -			19 – –				1,713 7 –
				Page 93, Mah:			
				Vud 4th -	500	–	–
				Vud 6th -	200	–	–
							700 – –
				Page 97, Fagun:			
				Sood 1st -	200	–	–
				Sood 8th -	500	–	–
				Sood 11th -	1,100	–	–
				Sood 14th -	31	–	–
				Sood 14th -	35	–	–
				Vud 1st -	300	–	–
				Vud 3d -	100	–	–
Carried forward - Rs.			44,226 15 9	Carried forward - Rs.			24,912 9 3

Dr. Appendix (N.)—*continued.* *Cr.*

	Rs.			Rs.
Brought forward - -	44,226 15 9	Brought forward - -		24,912 9 3
		Page 97, Fagun—*continued.*		
		Vud 3d -	228 9 –	
		Vud 6th -	107 8 –	
		Sood 8th -	24 12 –	
		Vud 10th -	200 – –	
		Vud 11th -	35 – –	
		Vud 10th -	415 – –	3,276 9 –
		Page 102, Chytur:		
		Vud 14th -	221 13 6	
		Sood 1st -	25 – –	
		Sood 3d -	812 8 –	
		Sood 6th -	494 – –	
		Sood 9th -	34 – –	
		Sood 1st -	150 – –	
		Vud 5th -	427 – –	
		Vud 14th -	200 – –	1,979 5 6
		Page 109, Vysak:		
		Sood 2d -	15 3 9	
		Sood 3d -	495 8 –	
		Sood 7th -	175 – –	
		Sood 10th -	150 – –	
		Vud 15th -	32 5 6	
		Vud 1st -	250 – –	
		Vud 4th -	200 – –	
		Sood 8th -	50 – –	
		Sood 10th -	450 – –	
		Vud 16th -	55 8 –	1,873 8 9
		Page 115, Jest:		
		Sood 3d -	40 4 –	
		Sood 6th -	100 – –	
		Sood 8th -	250 – –	
		Sood 11th -	66 – –	
		Sood 13th -	330 – –	
		Vud 2d -	200 – –	
		Vud 5th -	85 – –	
		Vud 7th -	150 – –	
		Vud 8th -	550 – –	
		Vud 11th -	25 – –	
		Vud 8th -	200 8 –	
		Vud 13th -	16 12 –	
		Vud 14th -	253 8 –	2,267 – –
		Page 121, 2d Jest:		
		Sood 1st -	547 – –	
		Sood 5th -	600 – –	
		Sood 8th -	900 – –	
		Sood 10th -	365 8 –	2,412 8 –
		Page 128, Asar:		
		Sood 5th -	175 – –	
		Vud 5th -	249 – –	
		Poush Sood 2d	220 3 –	
		Asar Sood 2d	39 – –	683 2 –
		Page 134, Sawan:		
		Sood 14th -	125 – –	
		Sood 2d -	129 – –	254 – –
		Page 137, Bhadurwa:		
		Sood 5th -	1,000 – –	
		Sood 6th -	500 – –	
		Sood 5th -	50 – –	
		Vud 3d - -	24 – –	
		Vud 5th -	251 – –	
		Vud 6th -	249 14 –	
		Sood 10th -	75 – –	
		Sood 15th -	339 – –	
		Vud 2d -	57 8 –	
		Vud 2d -	40 12 –	
		Vud 6th -	49 2 –	
		Vud 6th -	30 – –	
		Vud 9th -	37 8 –	
		Vud 13th -	700 – –	3,403 9 –
Carried forward - *Rs.*	44,226 15 9	Carried forward - *Rs.*		41,062 3 6

Dr. Appendix (N.)—*continued.* *Cr.*

	Rs.		Rs.
Brought forward - - -	44,226 15 9	Brought forward - - -	41,062 3 6
To Balance due, Aso Vud 15th - - -	30,954 11 3	Page 142, Aso:	
		Sood 5th - 132 15 –	
		Sood 8th - 850 – –	
		Sood 14th - 400 – –	
		Sood 15th - 45 – –	
		Vud 2d - 450 – –	
		Sood 4th - 1,363 4 –	
		Vud 3d - 250 – –	
		Vud 10th - 800 – –	
		Vud 11th - 200 – –	
		Vud 11th - 200 – –	
			4,490 15 –
			45,553 6 6
		Page 146, Aso month - -	28,634 10 –
		Page 150, Aso Wud 15th -	993 10 6
Rupees - - -	75,181 11 –	*Rupees* - - -	75,181 11 –

Page 4 of the new Ledger Book.

My Native Agent declares that the above are true extracts, taken in his presence.

(signed) *J. Outram*, Resident.

Appendix (O.)

TRANSLATION of a Memorandum that accompanied Colonel *Outram*'s Letter of the 15th August 1850.

ON the subject of a yadee, relating to a bribe of 21,000 rupees, found in Baba's dufters during the course of the investigation of the case of Joeetee Bayee's son, the following question is proposed to sowkars:

Baba Nafdya's 56 dufters have been brought to the Sirkar; such of them as had been concealed were discovered through Azum Govindrao, the native agent Soorujram, and Shumbhooram. On examining these dufters, a yadee was discovered therein, in which, with other matters, 21,000 rupees are found credited to the account of one Vishnoo Narayen. This yadee has been admitted by Baba Nafdya, in the presence of his Highness; and Tatyaba, who is a son of the sister of Baba's wife, acknowledged being the writer of it. The yadee and chopras are shown to you; examine them, and say on which can you place more reliance, on the former or the latter?

The answer of Gopalraow Myral is, "that on comparing the yadee with the chopras, I find that the former does not exactly correspond with the latter: and as Baba owns the yadee, and Tatyaba admits having written it, I would place greater confidence in the yadee than in the chopras, in which mostly the entries appear to have been confused."

Pareek Moteelal Samuldas, Damodurdass Kossnodass, Choonelal Luloobhaee, and Hureevulubhdass Ruttonjee, give the same answer as above.

Dated, Baroda, 15 August 1850.

Before me, this 15th August 1850.

(signed) *J. Outram*, Resident.

Appendix (P.)

COPY of an Account Current kept in the Firm of Narunrao Runchor, for Sumbut 1903.

Ledger, page 54.

Dr. Sha Hurreebhaee Bhugludass, for Sumbut 1903. *Cr.*

	Rs.		Rs.
To Cash, as per Day-book, page 13:		By Balance due, as per List of balances,	
Kartik Sood 1st - - - -	7 – –	Sumbut 1902, Aso Vud, page 2 -	6,808 11 9
Ditto, page 74:		By Cash, page 73:	
Kartik Sood 6th - 1,300 – –		Kartik Sood 1st - - - -	7 – –
Sood 7th - 20 – –		Ditto, page 75, Kartik Sood 1st:	
	1,320 – –	Sood 4th - 578 – –	
Ditto, page 81:		Sood 9th - 1,200 – –	
Magsur Sood 1st - 1,375 – –		Sood 12th - 3,000 – –	
Sood 5th - 1,700 – –		Vud 3d - 2,000 – –	
Sood 9th - 2,000 – –		Vud 12th - 2,000 – –	
	5,075 – –		8,778 – –
Ditto, page 87:		Ditto, page 83:	
Poush Sood 3d - 500 – –		Magsur Sood 10th - 2,000 – –	
Sood 5th - 2,600 – –		Sood 9th - 2,000 – –	
Vud 4th - 400 – –		Sood 14th - 675 – –	
Vud 6th - 300 – –		Vud 11th - 2,000 – –	
Vud 9th - 2,000 – –		Vud 2d - 2,000 – –	
	5,800 – –		8,675 – –
Carried forward - - -	12,202 – –	Carried forward - -	24,268 11 9

Dr. Appendix (P.)—*continued.* *Cr.*

				Rs.					Rs.		
			Brought forward - - -	12,202	–	–	Brought forward - - -		21,268	11	9
To Cash as per Day Book, page 91:							By Balance due, &c., page 93:				
Mah	Sood 2d	- 3,500	– –				Mah Sood 10th	- 2,000 – –			
	Sood 10th	- 2,000	– –				Sood 11th	- 1,125 – –			
Ditto, page 97:				5,500	–	–	Poush Sood 15th	- 150 12 –			
Fagun	Sood 12th	- 500	– –						3,275	12	–
	Sood 13th	- 2,000	– –				Ditto, page 98:				
	Sood 8th	- 500	– –				Poush Vud 6th - - - -		260	–	–
	Vud 9th	- 3,500	– –				Ditto, page 102:				
Chytur	Sood 1st	- 250	– –				Chytur Sood 2d	- 150 – –			
Ditto, page 102:				6,750	–	–	Sood 3d	- 1,250 – –			
Chytur	Sood 5th	- 2,000	– –				Sood 13th	- 2,000 – –			
	Sood 6th	- 500	– –						4,750	–	–
	Sood 7th	- 400	– –				Ditto, page 111:				
	Sood 8th	- 1,500	– –				Vysak Sood 2d	- 262 10 –			
	Sood 1st	- 150	– –				Sood 6th	- 114 2 –			
	Sood 9th	- 2,000	– –				Sood 13th	- 2,500 – –			
	Vud 6th	- 3,600	– –				Vud 4th	- 1,300 – –			
	Vud 7th	- 2,400	– –				Vud 8th	- 3,500 – –			
	Vud 11th	- 3,000	– –						7,676	12	–
	Vud 14th	- 1,250	– –				Ditto, page 116:				
	Vud 15th	- 750	– –				Jest 1st Sood 4th	- 820 7 –			
Ditto, page 109:				21,150	–	–	Sood 11th	- 134 7 –			
Vysak	Sood 7th	- 3,000	– –				Vud 6th	- 3,575 – –			
	Sood 15th	- 1,500	– –				Magsur Sood 2d	- 112 14 6			
	Vud 12th	- 500	– –				Poush Sood 15th	- 85 9 6			
Ditto, page 117:				5,000	–	–			4,728	6	–
1st Jest	Vud 8th	- 850	– –				Ditto, page 122:				
	Vud 12th	- 200	– –				2d Jest Sood 6th	- 375 – –			
Ditto, page 121:				1,050	–	–	Vud 1st	- 5,820 – –			
Jest	Sood 2d	- 100	– –				Vud 7th	- 12,000 – –			
	Sood 2d	- 10,000	– –				Vud 4th	- 427 7 3			
Magsur	Sood 2d	- 575	– –				Chytur Vud 11th	- 400 – –			
Page 121 - -		- 11,000	– –						19,022	7	3
Mah	Sood 2d	- 575	– –								
Chytur	Sood 2d	- 575	– –								
Jest	Sood - -	576	– –								
				13,301	–	–					
Page 123 - - - - - -				2,301	–	–					
	Rupees - - -			64,953	–	–	*Rupees* - - -		64,066	10	–

Continued on Page 66.

Dr. Pareek Hurribhaee Bhugteedas, continued from Page 54, Sumbut 1903. *Cr.*

				Rs.					Rs.		
To Total brought forward from page 54 -				64,953	–	–	By Total brought forward from page 54 -		64,066	10	–
To Cash, page 128:							By Cash, page 133:				
Asar	Sood 2d	- 850	– –				Sawun Sood 4th	- 6,400 – –			
	Vud 2d	- 1,800	– –				Chytur Sood 5th	- 112 8 –			
	Vud 6th	- 275	– –				Sawun Sood 10th	- 1,525 – –			
				4,925	–	–	Vud 9th	- 100 – –			
Ditto, page 137:							Ditto, page 138:		8,137	8	–
Bhadurwa	Sood 3d	- 2,000	– –				Bhadurwa Vud 1st	- 710 15 6			
	Sood 4th	- 2,500	– –				Vud 7th	- 4,000 – –			
	Sood 6th	- 500	– –				Ditto, page 142:		4,710	15	6
	Sood 8th	- 300	– –				Assoo Sood 9th	- 5,000 – –			
	Vud 1st	- 500	– –				Sood 15th	- 5,291 – –			
	Vud 4th	- 1,000	– –				Vud 1st	- 1,000 – –			
	Vud 6th	- 2,000	– –				Vud 4th	- 4,950 – –			
				8,800	–	–	Sood 13th	- 1,760 – –			
Ditto, page 143:									18,001	–	–
Assoo	Vud 9th	- 3,000	– –						99,016	1	6
	Vud 10th	- 2,000	– –				Deduct on account of mistake in addition - - - - -		85	4	3
	Vud 11th	- 2,000	– –								
				7,000	–	–			98,930	13	3
Ditto, page 145:							By cash, page 146:				
Assoo	Vud - - - -			27,277	10	9	Aso Wud 15th - - - -		16,000	–	–
				112,955	10	9					
To Balance due - - - -				1,975	2	6	*Rupees* - - -		114,930	13	2
	Rupees - - -			114,930	13	3	By Balance - - - - -		1,975	2	6

My Native Agent declares that the above are true extracts, taken in his presence.

(signed) *J. Outram*, Resident.

Appendix (Q.)

Ledger, page 22, continued on page 74.

Dr. Parek Narainrao Runchore, on account with Samuldas. *Cr.*

Bhuglidas for Sumvut 1903.

	Rs.				Rs.		
To Balance, as per List of Balances, page 24	6,829	1	–	By Total of Credit side	1,26,097	2	6
To Total of Dedit side	1,21,243	4	–	By Balance due up to the end of Asso Vud	1,975	2	6
Rs.	1,28,072	5	–	Rs.	1,28,072	5	–
To Balance, due up to Assoo Vud	1,975	2	6				

My Native Agent declares that the above are true extracts, taken in his presence.

(signed) *J. Outram*, Resident.

Appendix (R.) No. 1.

Copy of the Ledger Book of Purshotum Runchor, per Sumt 1903.

Ledger, page 68.

Dr. Rajeshri Purshotum Vamenrao, per Sumwut 1903. *Cr.*

	Rs.				Rs.		
Page 82. Kartuk	117	8	–	By Balance, page 43	35,242	9	6
Page 96. Magur	65	–	–	Page 84. Kartuk	640	5	3
Page 102. Poush	10	–	–	Page 98. Magsur	458	11	9
Page 111. Mah	14	8	–	Page 102. Posh	1,194	10	6
Page 124. Chytur	277	4	–	Page 113. Mah	737	11	9
Page 134. Vysak	10	–	–	Page 120. Fagun	186	7	–
Page 146. Second Jest	15	–	–	Page 126. Chytur	1,698	14	3
Page — Second Jest Wud 11, twice debited for Soni Ooka	200	–	–	Page 136. Vysak	1,136	2	6
				Page 143. First Jest	554	7	9
				Page 147. Second Jest	*1,606	12	9
Page 151	1,675	–	–	Page 154.	1,669	9	–
Page 157. Assur Sood 12th	181	13	6	Page 156. Assar	878	8	–
Page 163. Srawun:				Page 166. Sawun	600	14	3
Srawun Sood 5th 21 4 –				Page 174. Bhaderwa	1,102	6	6
Assar 11 – 9				Page 182. Asso	1,220	14	9
	32	4	9	Page 187. Asso Wud 15th	200	–	–
Page 172. Bhaderwa	407	–	–	Page 187. Asso Vud 15th	2,654	8	6
Page 180. Asso	1,175	–	–				
Page 187. Asso Wud 15th	5,000	–	–				
	9,180	6	3				
To Balance	42,603	8	9				
Rs.	51,783	15	–	Rs.	51,783	15	–

By Balance up to Sumbut 1903:
Asso Wud 15th, struck out, after adjusting the account with Shreeputrao. Rs. 42,603. 8. 9.

* *N. B.*—The sum of 500 rupees is embodied in this item, as shown by the details contained in R. No. 2, the item marked (*a*).

My Native Agent declares that the above are true extracts, taken in his presence.

(signed) *J. Outram*, Resident.

Appendix (R.) No. 2.

Shree Runchorjee Maharaj.

Dr. COPY of the Day Book for 1st Jest, 2d Sumwut 1903 (Sunday). Page 147. *Cr.*

| | | |

Dr. Appendix (R.) No. 2.—*continued.* *Cr.*

		Rs.	Rs.
Brought forward - - -		- - -	771 1 6
Sood 12th. Expenses for gilding silver pots of Runchorjee Maharaj:			
Gold leaves, 7 massas - - -	Rs. 14 – –		
Gilding - - - - - -	1 4 –		
		15 4 –	
Sood 12th. Copper pice for house expenses, per Tataba -		5 – –	
Sood 12th. Paid for 8 umbrellas, China - - - -		2 8 –	
Sood 13th. Paid in full to Putva Hurriwullub Ghella, for sundries supplied for use in the house, from Sumwut 1902 Magsar, to Sumwut 1903 second Jest - - -		117 3 –	
Sood 13th. Paid to Soner Nuthooram, on account per Soni Ooka - - - - - - - - - - -		(a) 500 – –	
Sood 13th. Paid for ghee koondas:	m. s. q.		
1 koonda of ghee - - -	1 15 3		
Deduct bardan - -	– 6 1		
	1 9 2		
At 12 rupees - - - - - -	14 13 6		
2 koondies of ghee, weighing -	4 23 2		
Deduct bardan - -	– 18 –		
	4 5 2		
At Rs. 11. 14. per maund - - -	49 2 3		
2 koondies of ghee, weighing -	7 30 –		
Deduct bardan - -	– 22 –		
Deduct ghee returned -	3 37 2		
Net weight - -	3 39 2		
At Rs. 11. 12., minus 2 annas not paid -	40 14 3		
		104 14 –	
Sood 13th. Paid for 3 umbrellas, at 5 rupees each - -		15 – –	
Sood 13th. Paid to the cook Hurribhaee, employed on the day on which a feast to the Brahmins was given - -		1 8 –	
Sood 13th. Paid on account of the anniversary of Gungabaee - - - - - - - - - - - -		1 – –	
Sood 13th. Paid to the Setjee's khitmutgars, for Kulapos -		1 – –	
Sood 13th. Paid for charity, on the occasion of the death of Rajeshree Seorampunt's wife - - - - -		15 – –	
Sood 13th. Paid for ghee, 14¾ seers, at 3½ seers 2 anna bhar per a rupee - - - - - - - - -		4 1 –	
Sood 13th. Paid for house expenses, per Appajee - -		10 – –	
Sood 13th. Paid on the Paigu, per khidmudar, at the desire of Ballasa - - - - - - - - -		10 – –	
Sood 13th. Paid for tinning copper pots, 2¼ seers			
of tin - - - - - - - - -	1 8 –		
Salt - - - - - - - - -	– 8 –		
		2 – –	
Vud 11th. Paid for mango, 3¼ maunds per Munozebhaee -		2 12 –	
Vud 11th. Paid for an earthen pot for filling water for washing feet - - - - - - - - -		– 5 –	
Vud 12th. Paid 12 quarter rupees for charity to Brahmins		3 – –	
Vud 13th. Paid copper pice for house expenses, per Tataba - - - - - - - - - - -		– 12 –	
Vud 13th. Cash paid to Baee Sahib for sundry expenses in Purshotum Mass, as per detail, with Shreeputrao - -		24 8 –	
			835 11 –
	(page 68)	Rs.	1,606 12 3

My Native Agent declares that the above are true extracts, taken in his presence.

(signed) *J. Outram*, Resident.

Appendix (S.)

Dr. MEMORANDUM of Receipts made from Second Jest, to 5th Assad Sood. *Cr.*

To cash received from Parek Vishnoo Narain:		*Rs.*	By cash paid to Paruk Narraenrao Runchor:		*Rs.*
On Sood 12th		300 – –	On Wud 4th	*Rs.* 14,000 – –	
On Wud 1st		700 – –	On Assar Sood 5th	4,000 – –	
					18,000 – –
On Wud 4th and Wud 8th:					
On Wud 4th	*Rs.* 350 – –		By cash paid in the name of Sobhagwuttee, on the Wud 8th, sent in the camp per Anna, on account of Larcoba		3,100 – –
On Wud 8th	550 – –				
On Wud 8th	100 – –				
		1,000 – –			
On Wud 10th		650 – –	By cash paid to Oodea Sonar		500 – –
On Wud 4th		14,000 – –	By cash paid for house expenses		2,400 – –
On 5th Assar Sood		4,000 – –			
On 5th Assar Sood		350 – –			
	Rs.	21,000 – –		*Rs.*	21,000 – –

(True copy.)

(signed) *J. Outram*, Resident.

Shown to me on this 3d day of September 1850, and I certify that it bore upon it no erasures of any kind whatever.

3 September 1850. (signed) *E. Glyn.*

Appendix (T.) No. 1.

TRANSLATION of a Memorandum that accompanied Colonel *Outram*'s Letter, dated 19 August 1850.

ON the subject of a yadee relating to a bribe of 21,000 rupees found in Baba's dufters, during the course of the investigation of the case of Joeetee Bayee's son, the following question is proposed to the saokars:

Perhaps an account of the agreement of the date of the sum of 12,000 rupees (credited in Samul Bhugtee's books to Narayen Runchore), with that of the item (of 12,000) embodied in 18,000 rupees (debited to Narayen Runchore by Poorshotum Runchore), you will think the identity of the item established; but, as pecuniary transactions were always current between the firms of Hurree Bhugtee and Narayenrao Runchore, such coincidence of dates might occur, and this circumstance, therefore, cannot establish the probable identity of the item; therefore, after full inquiry, state what convincing proof you have of the identity of the item?

Poorshotum Kandass, goomashta of Gopalrarao Myral, answers as follows: "Dates might correspond in consequence of the constant transactions current between these firms; but in Narayenrao's chopras, where this item of 12,000 rupees is debited to Hurree Bhugtee's account, it is specified to be that credited to Poorshotum Runchore; therefore, the coincidence of the dates, I am clearly of opinion, proves that this sum of 12,000 rupees is a part of the item of 18,000 rupees."

Babajee Pemchund, goomashta of Moteelal Samuldass; Kalidass, goomashta of Damodur Kessnodas, Dwarkadass Morarjee, goomashta of Chooneelal Lulloobhaee, and Veerujbhookundass Hureelal, goomashta of Hureevulubdas Ruttonjee, give the same answers as above.

Dated Baroda, 17 August 1850.

Before me, this 17th August 1850.

(signed) *J. Outram*, Resident.

Appendix (T.) No. 2.

TRANSLATION of a Memorandum that accompanied Colonel *Outram*'s Letter, dated 19 August 1850.

ON the subject of a yadee relating to a bribe of 21,000 rupees, found in Baba's dufters, during the course of the investigation of Joeetee Bayee's son, the following question is proposed to saokars:

Out of the sum of 21,000 rupees, 18,000 rupees are credited in Narrayenrao Runchore's chopras by three items, to the account of Poorshotum Runchore. Of these, 12,000 rupees appear to have been debited to the account of Hurree Bhugtee, under a date corresponding with that (of the Cr. entry) of this sum. This amount of 12,000 rupees, however, is not found credited in Hurree Bhugtee's chopras; but a sum of 12,000 rupees is credited in Samul Bhugtee's account books under the same date, to the account of Narrayenrow Runchore;

chore; but, from a mere coincidence of dates, how can it be (inferred) that this is a part of the sum of 18,000 rupees debited out of the amount of 21,000 rupees; therefore, inquire into this, and state what you find?

Poorshotum Kandass, goomashta of Gopalraow Myral, replies, "that, on examining the chopras, I find that the sum of 18,000 rupees debited out of the amount of 21,000 rupees, is credited in Narayen Rao's chopras to the account of Poorshotum Runchore, and an item of 12,000 rupees out of this, is debited to the account of Huree Bhugtee, wherein it is stated to be the money credited to the account of Poorshotum Runchore, but in the chopras of Hurree Bhugtee this amount does not appear credited, while the date of this debit item corresponds with that of the amount of 12,000 rupees credited in Samul Bhugtee's chopras. For this reason, I say that this item of 12,000 rupees is a part of the sum of 18,000 rupees, though, according to the chopras, the connexion does not appear to me to be established."

Babajee Premchund, goomashta of Moteelal Samuldass; Kaleedass, goomashta of Damodur Kessnodass; Dwarkadass Mararjee, goomashta of Chooneelal Lulloobhaee, and Veerujbhookun Hurreelal, goomashta of Hurree Vulubdass, give the same answer as above.

Dated Baroda, 17 August 1850.

Before me, this 17th August 1850.

(signed) *J. Outram,* Resident.

Appendix (U.)

TRANSLATION of a Memorandum that accompanied Colonel *Outram's* Letter, dated 19 August 1850.

ON the subject of a yadee relating to a bribe of 21,000 rupees found in Baba's dufters during the course of the investigation of the case of Joeeta Bayee's son, the following question is proposed to saokars:

In Narrayen Row Runchorda's chopras, 18,000 rupees, which are debited to that party in Poorshotum Runchore's account books, are credited. But should you determine that the sum of 12,000 rupees credited in Samul Bhugtee's account books is a portion of this amount of 18,000 rupees, examine the chopras, and show clearly what became of the remaining 6,000 rupees, and to what account this latter sum has been carried.

Poorshotum Kandass, goomashta of Gopalraow Myral, replies "that on examining Narrayen Row Runchore's chopras, I find 6,000 rupees brought to credit therein. But to what account this sum has been transferred, or what became of it, cannot be ascertained from the chopras."

Babajee Premchund, goomashta of Moteelal Samuldass; Kaleedass, goomashta of Damodurdass; Dwarkadass Morarjee, goomashta; of Chooneelal Luloobhaee, and Veerjbhookun Hureelal, goomashta of Hureevulubdass Ruttonjee, give the same answer as above.

Dated 17 August 1850.

Before me, this 17th day of August 1850.

(signed) *J. Outram,* Resident.

Appendix (V.)

TRANSLATION of a Memorandum that accompanied Colonel *Outram's* Letter, dated 19 August 1850.

ON the subject of a yadee relating to a bribe of 21,000 rupees, found in Baba's dufters during the course of the investigation of the case of Joeetee Bayee's son, the following question is proposed to saokars:

In Poorshotum Runchore's chopras, 21,000 rupees are credited to the account of Pureek Vishnoo Narayen, to an interest of four annas; from your statement it appears that there is no such man as Vishnoo Narayen in Baroda; state then, whether or not this money can, according to the usages of banking, be said to be a deposit?

The answer of Pureek Gopaul Row Myral is, that he has examined Poorshotum Runchore's chopras for the year sumbut 1903; that had this item been a deposit according to the usage of banking, the balance of this account ought, according to the same usage, to have been brought forward to the accounts of every succeeding year, which does not, however, appear to have been done, and that consequently, under the said usage he cannot say that this amount is a deposit belonging to another party.

Moteelal Samuldass, Damodur Kessnodas, Chooneelal Luloobhaee, and Pareek Hurreevulubh Ruttonjee, give the same answer as above.

Dated Baroda, 17 August 1850.

Before me, this 17th day of August 1850.

(signed) *J. Outram,* Resident.

(True translations.)

(signed) W. C. Andrews,
Late Acting Resident of Baroda.

6.

Mr. *Andrew's* Remarks on Lieutenant-colonel *Outram's* Report.

EXTRACT Bombay Secret Consultations, 26 November 1851.

To *A. Malet*, Esq., Chief Secretary to Government, Bombay. 907 A.

Sir,

I HAVE at the length the honour of submitting for the consideration of his Lordship in Council, a few observations on a correspondence which has lately taken place between Colonel Outram and myself, relative to a paper of accounts discovered in a search that was made at the Baroda Residency, among the papers of one Baba Nafra, a moonom goomastha in the firm of Hurry Bhugtee.

2. These observations were drafted before I departed from Surat for the Presidency, and were left there to be copied and sent to me, with the translations of the native papers, which were to accompany them. The copies of the correspondence are not sent, as I had intended, because I find that Colonel Outram has already sent copies with his report to Government.

3. The accompanying papers have now been with me for a considerable time, but severe indisposition has hitherto prevented me from forwarding them to Government, and to the same cause it is owing that I am obliged even now to throw myself on the indulgence of Government for any clerical or such like errors that may be discoverable therein, as I am quite unable properly to correct them.

4. I am quite unable also to comment on Colonel Outram's report on the same subject, but I cannot avoid expressing my regret and surprise that Colonel Outram should have thought it becoming in him to presume to animadvert on my conduct as Judge of Surat, and to repeat the false and malicious reports circulated by mischievous persons, attributing motives for my conduct which never had any existence. Moongajee never sought from me the head clerkship of the Adalut, nor was it for his benefit that I wished to obtain Coyajee's retirement; my sole object was to obtain efficiency in the office, and the services of a young man named Annudrao Chapajee, of considerable abilities as a translator, who had lately lost a similar appointment which he temporarily filled in the Sudder Adalut; however, it is not, I conclude, necessary for me to be led by Colonel Outram's remarks into a defence of my conduct; I am quite willing to do so if my health be restored, and I be called upon by Government.

7. In conclusion, I beg to assure his Lordship in Council, that conscious of my integrity in this and all other official matters, I can rely with implicit confidence on a verdict of acquittal by their Honourable Board, for I feel satisfied that the vague surmises and insinuations brought against me, and the others accused, will not be allowed any weight, and I challenge Colonel Outram to search the records of the Residency, or any other department over which I have presided, to see if there be any case which I have so decided as to afford reasonable ground for suspecting that I had been directly or indirectly actuated by corrupt motives. It cannot be supposed that a bribe, ranging from 3,100 to 21,000 rupees, could have been paid without the attainment of some object, but what that object was in this instance, after an interval of upwards of three years, no one appears to be able to state.

I have, &c.
(signed) *W. C. Andrews*,
Late Acting Resident of Baroda.

Bombay,
21 January 1851.

From *W. C. Andrews*, Esq., late Acting Resident at Baroda, to *A. Malet*, Esq. Chief Secretary to Government, Bombay.

Sir, 20 January 1851.

In submitting for the patient consideration and decision of Government the accompanying voluminous correspondence that has passed between me and Colonel Outram for the last four months, I must at once express my extreme regret that the greatest part of it consists of irrelevant matters so replete with criminations, recriminations, and reiterations, that in order to make the main point at issue sufficiently clear, it is still necessary for me to commence with a statement of the case, which I shall endeavour to make as brief and simple as possible.

*Mooneem goomashta, of the well known firm of Huree Bhugtee, in Baroda.

2. During the course of the examination of Baba Nafdya's* private papers, which had been brought to the residency, a rough memorandum of accounts, referring to certain money transactions connected with his private firm of Poorshotum Runchore, was brought to the notice of Colonel Outram on the 31st July last, as referring to certain illicit transactions affecting my character.

3. In this memorandum was observed an item of 3,100 rupees, originally debited thus: Soubhagyawutee Bayee Yauchey Navey Meetee, Vud 8 (Soubhagyawutee Bayee, Dr., date 8th of the latter half of the month), of which only the figure 3 is erased, and a line is drawn through the words "Soubhagyawutee Bayee, Dr.," which are, however, left distinctly legible, and after the date appears the following sentence: "Anna took to the cantonments an account of or for Larcoba." And it was an unwarrantably far-fetched misconstruction of this alteration or correction that led Colonel Outram to believe that this memorandum must refer to illicit transactions.

4. As Larcoba is a young man to whom I had given the situation of deputy accountant in the residency, while I was in Baroda, it was surmised by the residency moonshie, and a karkoon of the Guicawar's government, by name Shumbhooram, that the "Soubhagyawutee Bayee," to whom was debited the erased item (with which Larcoba's name was assumed to be connected, by the figure of 100, and the date thereof being retained), must refer to a woman, by name Doolun, a wretch who was alleged to have been kept by me. Further, as Larcoba is a relative of Moongajee, who is a writer in the Surat Udalut under me, and as this Moongajee had paid me a visit at Baroda while he was on his way to "Dakare," on one month's leave, in 1846, Colonel Outram believes that not only Larcoba and this woman, but Moongajee also, had a share in this supposed foul affair, and as their wild surmises were not confined to this single item, which has been made the foundation stone of the whole fabric of falsehood raised by Colonel Outram's advisers, he was persuaded to believe that these people must have made a bad use of my name in receiving such enormous sums of money by imposing upon the donors that it reached me.

5. All the arguments advanced in support of this misconstruction may be briefly summed up as follows: that the sum out of which these payments are recorded to have been made is credited under a fictitious name, "Vishnoo Narrayen;" that the rough memorandum must be considered as worthy of greater credit than the account books of the firm in which the amount is alleged to be differently accounted for; that the accounts of two months, Jesht and Ashad, are mixed up together, contrary to the practice of bankers; that out of the sums of 18,000 rupees debited to the firm of Narrayen Row Runchore, only 12,000 rupees are debited to Hurree Bhugtee; that this sum of 12,000 rupees even is not to be found in Hurree Bhugtee's account books, but is credited in Samul Bhugtee's books; that these and such other irregularities demonstrate the falsity of these accounts as transferred in the books; that in the rough memorandum originally a sum of 24,000 rupees was credited under the fictitious name of Vishnoo Narrayen, which figures have been altered to 21,000, to meet the erasure of 3,000 from the item of 3,100 debited to "Soubhagyawutee Bayee," and Larcoba; and that as the figures of the total, &c., have been erased in consequence, in more than one place, the drawing a line through the words "Soubhagyawutee Bayee, Dr.," and that erasing the figure 3 was a fraudulent act, done with the view of evading the attention of others into whose hands the paper might happen to fall; that had this

this entry a reference to a woman of a more respectable class than a strumpet, the affix "Sahib" should have been added to it in the rough memorandum; that though there is a separate account of Soubhagyawutee Bayee Sahib in Poorshotum Runchore's account books, in which is found a sum of 100 rupees debited to her as part of the item of 3,100 rupees, it cannot be considered as the woman referred to in the rough memorandum, because in the latter the affix "Sahib" is omitted; and that as the sum of 3,000 rupees erased from the rough memorandum is not accounted for at all, such false accounts were drawn up to conceal the real destination of 24,000 rupees, which must have been received by Larcoba and Moongajee, who are alleged to be my protégés in conjunction with Doolun, all of whom were believed to exercise undue influence over me.

6. As in all the papers that Colonel Outram furnished me separately, I could discern nothing in the form of a connected evidence, and as all the arguments advanced were based upon gratuitous assumptions, opposed to facts and truth, I did not know how to shake Colonel Outram's belief in the conclusions he had once imbibed; conclusions deducted from false and erroneous premises by designing men, none of whom could depose anything from personal knowledge. I therefore submitted the same rough memorandum in original to a committee of three respectable native officers of the Collector's department; viz. the dufterdar Jeybhoy Hurreebhaee, the late mamlutdar of Chourasee purguna, but the present Kotewal Veenayek Row Gunesh, and the Collector's chitnes, Shudashive Gopal. Their opinions (translated substance of which is herewith appended), in conjunction with Mr. Forbes' notes on the erasures in the rough memorandum subjoined to a copy of it (the duplicate of which is likewise annexed), might I hoped have had the effect of awakening Colonel Outram's judgment so as to make him perceive how far he had been misled, for since Baroda bankers or other goomashtas could say nothing from personal knowledge, why should their surmises, based on false premises, carry greater weight with them than the result of a strict examination of this paper by such experienced officers so well versed in native accounts. But my hopes were vain, as this had not the slightest effect upon him, and I am thus compelled at last to submit the matter to Government for its decision.

Vide App. (B.)

Vide App. (C.)

7. A reference to the original rough memorandum in question, as well as to the comment on the erasures passed by the committee of native functionaries in Surat, will, I trust, satisfy his Lordship in Council, that Larcoba's name was not at all originally connected with the item of 3,100 rupees debited to "Soubhagyawutee Bayee." The erasure as it is, shows that it was intended to take out this item entirely from these accounts, and to substitute for it one of 100 for Larcoba, and the clumsy way in which the one entry has been converted into the other by erasing only the figure 3, and the words "Soubhagyawutee Bayee, Dr.," of the original item, and by a corresponding reduction of 3,000 rupees from the credit side from a sum of the same date, instead of being considered as a proof that Larcoba and the woman, whoever she might have been, were no way connected as in one and the same entry, is advanced as a testimony of the attempt to conceal the real recipients of these sums; because, it is argued, the corresponding corrections have been made in several places. This argument is futile, inasmuch as the necessity of these corrections in several places confirms the fact of the item regarding Larcoba having been an interpolation; a truth self-evident from the comparative smallness of the letters, the difference in the ink, and the want of space wherein it is introduced. If it was not the substitution of Larcoba's item for that of the woman, which is evidently effected rather by the conversion of the one into the other, why were the figures 100 and the date retained? If it was really an attempt at concealment, why should the erasures have been left legible? and why should a corresponding reduction have been made from the creditor side? How could any such intention be accomplished merely by drawing a line through the words "Soubhagyawutee Bayee, Dr.," while Larcoba's name dazzled immediately below? What veil of erasure could hide the object so long as the only light which could show it was in existence? In short, a nameless woman was to be ascertained by the assumed connexion that Larcoba could be supposed to have with her, for if Larcoba's name had not been there, who could have surmised that the vague term "Soubhagyawutee Bayee" (which simply means a married woman whose husband is living) must refer to some woman who should have some sort of connexion with me or Larcoba; consequently,

Vide App. (A.)
Vide App. (B.)
Answers Nos. 1 and 2.

if it was a fraud, as is gratuitously assumed, it was necessary not only that the woman and Larcoba should have appeared connected together in one and the same entry, but that if at all, Larcoba's name ought to have been erased instead of that of a nameless party. But Larcoba's name having been distinctly mentioned in the rough memorandum, as well as in all the account books, is a clear proof of the erasure not having been made with any such fraudulent motive as that of evading the attention of others. Further, why should he, who had no hesitation in mentioning the name of a public servant in both his private and public accounts, have scrupled to enter the name of a strumpet like Doolun, if he had made any payments to her under the impression that she had any connexion with me? The instance of Baba's having caused to make false entries in the accounts of Lahbhoy Gulal for the large bribe he had recently offered to the present native agent is brought forward as a fact that warranted the assumption that it was his practice to prepare such false accounts, and that this rough memorandum was one of the same description. But at the same time it is forgotten under what peculiar circumstances Baba acted on the present occasion. In a word, who could imagine that three years ago Baba should have ever apprehended the necessity of making false entries to conceal the real recipients of bribes, for how could he have then even dreamt that his private papers were ever destined to see the light of the residency.

Vide App. (D.); the question proposed by Col. Outram to the Baroda bankers.

8. Colonel Outram's informants were not, however, content with confounding a subsequently entered item with one that was erased, but by the same strange process of reasoning, perfectly incomprehensible to me, they surmised that all the other items (debited to different parties) that precede as well as succeed this item of Larcoba, must have been paid to this young man and Doolun on my account, and who but Colonel Outram could have so readily believed in these groundless surmises? When it is borne in mind that Baroda people, in their private accounts, do not hesitate to debit sums even in the name of members of Government when they make any payments to designing rogues under the impression that the money reached those higher authorities, there appears no reason why Baba should not have been as free with my name in his privately drawn up rough memorandum at least. If it be said that perhaps he might have thought my name too sacred to be so openly used, why did he not then at least debit the whole amount of 21,000 or 24,000 (as the accusers would have it) to Larcoba or the woman at once, instead of but a small fraction of it? So far as I can see, the comparison alluded to at the end of the preceding paragraph, could stand only if Baba had adopted this course, for the entry of the large sum paid as a bribe on the recent occasion was false only inasmuch as the name of the native agent was not directly used in it, but the whole amount appears to have been debited as lent to the very same individual through whom the arrangements were settled, and with whom the money was sent to the native agent's quarters, and not to the account of a third party, such as Baba's son or wife, or any of the banking establishments in Baroda. From Appendix (D.) it also appears that the payments were made through another firm, and not Baba's own; and who knows but Baba might have caused such an entry to be made in the account books of that firm, in order that he might be able to recover the amount from the person through whom he paid it, in case the condition on which it had been demanded and received from him was not fulfilled, or what other motive he might have had in view he himself must know best; but all that I mean to urge is, that the features of this recent case do not warrant a general conclusion, that Baba is always in the habit of making false entries to conceal the real recipients of bribes, or that all large sums that may be found credited or debited in his account books to other firms in Baroda, though corroborated by the account books of the latter, must be supposed to refer to illicit transactions.

Vide Col. Outram's first note, "Larger sums," &c.

Vide App. (D.) Colonel Outram's Query to the Baroda bankers.

9. As one of the chief reasons for considering these accounts to be of a suspicious character, it is argued with much stress that the amount of 21,000 rupees is credited under a fictitious name. What is meant to be proved by this, it is difficult to understand, for if it was to conceal the supposed real recipients of the money, where the necessity for giving false credit, which, as a matter of course, would require false debits to the extent of double the amount of the original payments, before the accounts could be adjusted. Baba states that it is his money which he credited in the books of his son's (*i. e.* his own) firm in the name of the Hindoo deity Vishnoo Narrayen, a course which is not very uncom-

Vide App. (B.) Answer No. 2.

Vide App. (E.) Answer No. 2.

mon

mon among Hindoo bankers. I am told that in Nassick, in the account books of some respectable firms, a part of their private funds will be found credited in the name of the Hindoo deity "Ballajee," and several other instances of the description may be found. I may also observe, that though "Vishnoo Narrayen" is evidently and confessedly a fictitious name, the account itself cannot be considered fictitious, since not only this sum, but there are others credited in the same name in subsequent months of the same year's accounts, making in all a total of nearly 25,000 rupees; and what other Doolun I wonder Colonel Outram's informants may discover to account for this surplus money.

Vide App. (F.)

10. With regard to the item of 3,100 rupees, Baba has distinctly stated that it was originally debited to his own wife, but as she did not draw the amount, the item was erased; an explanation no less confirmed by the fact of another item, of 100 rupees, being debited to her in the journal book of Poorshotum Runchore, where it is stated to be in part payment of 3,100 rupees; and further, this sum of 100 rupees is found in the ledger debited to her account, as the use of the word "navey" or Dr., after the name of the party, fully indicates. The only difference between her names as written in the rough memorandum and the account books, is the omission of the affix "Saheb" in the latter. It would not be amiss to remark here, that this is not the only sum debited to her. In fact, she appears to have a regular account current with this firm for a number of years, and on a reference to these books, it will be found that she has been in the habit of lending as well as receiving money from it. Under such circumstances is it natural to refuse this explanation as false, and to believe that the erased item must refer to a kept woman, that must be my mistress, and that it must be Doolun? Independently of all other reasons that show that such an unwarrantable inference was anything but natural, one that understands anything of accounts would laugh at the idea that the sum debited to a woman as Dr. in the rough memorandum should be construed as a free gift.

Vide App. (E.) No. 1; as also App. (B.) Answers Nos. 3 and 13.

Vide App. (C.) Nos. 1 and 2.

Vide App. (B.) Answer No. 12.

11. Merely because this erased item (and erased in consequence of non-payment) is not entered in the formal account books, the latter are not only considered not worthy of credit, but it is assumed that therein "the amount is differently accounted for, evidently with the view of concealing the real destination of 24,000 rupees." The absurdity of this reasoning requires no proof. But what is still more surprising is the studied misrepresentations of the erasures and alterations in this rough memorandum. In order to prove that the alterations were made exactly for the purpose of screening the imaginary Doolun, whom Colonel Outram's informants could descry through the darkened, yet to them transparent words, "Soubhagyawutee Bayee, Dr.," they have all assumed that the original total on both sides of the account was exactly 24,000 rupees, which figures were altered to 21,000, to meet the reduction of the figure of 3,000 contained in the sum opposite to her name. This is anything but a fact. The original total was only 23,650 rupees, which figures are altered to 21,000, not only because the item debited to "Soubhagyawutee" was erased, and substituted by the one for Larcoba, but also because another sum of 350 rupees was at the same time squeezed in or added to the Cr. side, making the net reduction only 2,650 rupees, and not 3,000, as asserted by the accusers. And if the erasure of the figure 3 from the item on the debit side was for the purpose of screening the transmigrated "Soubhagyawutee Bayee" Doolun, to what motive would they attribute the simultaneous addition of this item of 350 rupees on the Cr. side, I have not yet been informed.

Vide Appendices (A.) (H.) and (B.); Answer No. 4.

Vide para. 2 of his letter of the 15th August, as also para. 7 of his letter dated 13 Oct.

Vide para. 8 of his letter of the 16th October 1850, as the very erasures were deemed confirmatory.

Vide Appendix (J.) Depositions Nos. VI. VII. VIII. IX. X. XI. XII. and XIII., as also Appendix (K.)

Vide Appendix (B.) Answers Nos. 1 and 2, as also Appendices (A.) and (C.)

12. But surely all those who examined the original memorandum could not be blind, and therefore it is natural for me to suppose that they wilfully misrepresented the erasures, an inference no less confirmed by the fact, that instead of representing the entry of 100 rupees for Larcoba as a separate item, they style it a subsequent remark, in order that one might be easily led to suppose that he was also the recipient of all the items that precede it. Who could overlook the fact that while in all other entries the dates are mentioned after the names of the party, that for Larcoba is preceded by the date which is retained from the erased item? And while on the one hand they try to connect Larcoba's name with the erased item, in order that they might be enabled to vilify my private character, they on the other hand, apparently in direct opposition to this argument, assume that

Vide the memorandum of explanation by Sumbhooram, that accompanied Colonel Outram's first note, Appendix (L.) as well as Sumbharam's (No. 13) and other depositions contained in App. (T.)

Vide para. 7 of his letter dated 20 Oct. 1850.

that Larcoba's name is used by way of a general remark, evidently with a view of being thereby enabled to connect his name with the much larger sums, to throw suspicions on my public character also; such conflicting* arguments could have convinced no friend of justice having that regard for my honour, which is repeatedly professed by Colonel Outram, who, notwithstanding, could not consider the scandalous surmises as involving "*à priori* † improbability."

Vide Colonel Outram's first note, dated 31 July, wherein he says, "the larger sums reached the head of the office."
Vide Appendix (B.)
†*Vide* para. 9 of his letter dated 21 Sept. 1850.

13. From all that I have said above, I trust it will be clear that not only that there is no proof of actual payment, and that the names of the accused parties do not appear either in the rough memorandum or in the account books, except that of Larcoba, for a sum of 100 rupees, but also that there were no grounds for introducing Moongajee's name at least in the matter. Colonel Outram's informants do not seem to have directly accused him, but the insinuating manner in which they distinguished Larcoba as being a near relative of Moongajee, through whom he was said to have obtained his appointment in the residency, and such other nonsensical stories concocted by them, induced Colonel Outram to include poor Moongajee also in the catalogue of scoundrels. Could Larcoba be not recognized if they had merely said that he was a writer in the accountant's department? But they knew well that by doing so they could not raise Larcoba into sufficient importance, for being neither in the native or in the correspondence departments, they could not say that he had anything to do with any kind of important business in the residency to justify a suspicion of any bribes being offered to him even, much less of his having received any. And they therefore resorted to such indirect insinuations. But the story of Larcoba having obtained his appointment through Moongajee's influence, is as false as that of Moongajee and I‡ driving together in my carriage. These were base inventions poured into Colonel Outram's ears by those libellers to overrule his judgment against the dictates of common sense.

The word Bhanej, meaning one's own sister's son, is used in Appendix (L.)

14. I had an acquaintance with Larcoba's father, and therefore knew the young man well. He was a pupil of Professor Green when that gentleman was schoolmaster here, and the good opinion that Mr. Green entertained of him induced me, about the time of my departure from this station to join the residency, to promise to give to Larcoba the situation of a writer that was vacant there, and in that situation this young man passed his time in the drudgery common to one engaged in calculating figures. He could not interfere in anything, and I challenge any one to adduce but one instance in which I showed him any mark of greater civility or regard than I did, and always do, to all natives placed under me, so long as they appear to me to behave well.

15. As for Moongajee's short visit (not more than 10 days) to Baroda, 14 months prior to the date of these supposed illicit transactions, what connexion can it probably have with the matter? And to believe, or even suppose a man to be guilty merely because he happens to be a relative of a suspected person, is, in my humble opinion, a daring excursion beyond the true boundaries of justice. As some importance seemed to be attached to this circumstance, both Moongajee and Larcoba in their defence denied the degree of relationship imputed to them in qualified terms, which appeared merely to insinuate that they were not so closely related to one another as to give the slightest room for any such suspicions, but which evidently showed at the same time that they were in some other way connected. Neither of them however had stated what was the real nature of the connexion between their respective families; and this omission was regarded by Colonel Outram as sufficient to justify his deciding that they had purposely told a falsehood. But when the dint of the original argument, together with the idiom of the native language that is converted into English, in their answers on this point, are borne in mind, it will clearly appear that they have not wilfully misrepresented anything.

Vide para. 7 of his letter dated 15 Aug. 1850, para. 12 of my reply dated 23 Aug., and paras. 12 and 14 of his letter dated 31 August 1850.

16. Under the peculiar circumstances of the case, the falsity or irregularities in the formal account referring to these transactions cannot in the least degree be regarded as proof of the guilt of any of the accused parties, yet as this point is advanced with much stress, as a proof of the attempt at concealment, and is considered

Vide his letter dated 16 Sept. 1850, para. 5 especially.

‡ *Vide* his letter dated 15th August, para. 7; my reply dated 23d August, para. 14; his letter dated 31st August, para. 2, and postscript.

considered by Colonel Outram sufficient to justify the conclusion that this was the very object in framing the accounts in the way they are got up, I think it necessary to state the facts as I have learnt them (with the limited means I had at my command to obtain the necessary information), in order to expose the falsity of this totally erroneous assumption. As for the mixing up of the accounts of both the months, Jesht and Ashad, I think that though it is an irregularity, and a grievous one, in the account books of any banker, it does not necessarily imply any fraud, for some are in the habit of adjusting and balancing their accounts every day, week or fortnight, while others do not adjust them till the end of a month or two, or even longer periods; and as a matter of course, the latter are not careful to keep the accounts of each month separate. In the present case, an item disbursed during the first week of the second month of "Assad," appears to be mixed up with disbursements that extend over nearly the last fortnight of the preceding month Jesht. But this apparent irregularity is not observable in the monthly cash accounts, and can therefore be attributed to nothing but slovenly carelessness; as an illustration of this, I beg to notice the fact, that my sheristedar has reported to me that while examining Baba's account books he observed in two or three places the accounts of two months written together. With this exception, and some discrepancies in dates, I however do not find any material difference in the accounts as noted in the rough memorandum, and as entered in the formal account books.

Vide his letter, dated 16 Sept. 1850, para. 6.

Vide Appendices (A.) and (H.), as also App. (B.) Answer 4.

17. The amount of 18,000 rupees, debited to Narrayen Row Runchore, by three sums of 2,000, 12,000, and 4,000, is found credited in the same way and on the same dates in the account books of that firm as in the books of Poorshotum Runchore. A reference to the corresponding statements of their account currents with one another, extracted from their respective ledger books, will satisfy his Lordship in Council of the truth of this; and when it is borne in mind that these are but a few of the many sums credited and debited by one another to each other's respective accounts during this year, and that their account currents are not limited to this year even, but extend to previous as well as subsequent years, who can suspect that the amount of 18,000 rupees debited to Narrayen Row Runchore in the rough memorandum must refer to payments of bribes? I cannot, under these circumstances, attach any importance to the insinuation thrown out by Colonel Outram on this point in the following passage of his letter dated 16 September 1850, para. 4th.

Vide Appendices (M.) and (N.)

"You may not be aware that Poorshotum Runchore and Narayen Runchore are brothers, and sons of Baba Nafdya. The entries in their chopras are evidently fictitious for the understanding of themselves alone, as stated by the soucars in their replies formerly sent to you, and to conceal the real party to whom the payment was made." Wherein are these particular entries more fictitious than the several dozens of other items debited and credited by Poorshotum Runchore and Narayen Runchore to each other's account throughout the year? and how many Acting Residents, with their kept mistresses and favourite native subordinates, must be found out to account for each of them?

Vide Appendices (J.) and (O.)

18. Again, out of these receipts the sum of 12,000 rupees is debited by Narayen Row Runchore to Hurree Bugtee, for which corresponding credit is found in Samul Bhugtee's account books, and because it is not found credited in Hurree Bhugtee's books, suspicion is attempted to be thrown on this portion of the sum. But it is well known that Huree Bhugtee and Samul Bhugtee is one and the same party, who keeps two sets of account books, one in the name of the firm and the other in the name of Samul Bhugtee. A reference to the accompanying corresponding statements of their mutual account currents, extracted from the ledger books of Narayen Runchore and Samul Bhugtee respectively, will, I trust, expose the subtlety of the reasoning noticed above. For not only this sum, but all other sums debited to Huree Bhugtee by Narayen Row Runchore, are found credited in the books of Samul Bhugtee and not Huree Bhugtee's. The transactions between these firms throughout this year amount to much upwards of a lac of rupees, divided into nearly four dozen sums, and this sum of 12,000 rupees in question is but the 33d item debited in this year by Narayen Runchore to Huree Bhugtee, *i. e.*, Samul Bhugtee. The balance, viz., 1,975 rupees, 2 a., 6 p., as shown in the account books of Narayen Runchore, due to them by the firm of Huree Bhugtee at the end of the year, perfectly agrees with that of the accounts entered in Samul Bhugtee's books, and is

Vide App. (T.) No. 2, as also Col. Outram's letter dated 16 Sept., para. 5.

Vide Appendices (P.) and (Q.)

Vide para. 4 of my letter dated 25 Oct. 1850.

Vide Appendices (P.) and (Q.)

carried forward to their mutual account currents for the ensuing year in their respective account books.

19. What more satisfactory evidence can be required than the facts above detailed to prove that this item of 18,000 rupees is accounted for in the formal account books just in the same way as stated in the rough memorandum, and that there is not the slightest ground to question the validity of this transaction, so far as the account books of the firms of Poorshotum Runchore, Narayen Runchore, and Huree Bhugtee are concerned.

20. The next item in the rough memorandum is that of 3,100 rupees so frequently alluded to above, instead of which (as explained in para. 10) there is an item of only 100 rupees. And on what is the accusation founded on the rough memorandum hinged, but on the alleged suspicious characters of the way in which it is accounted for in the chopras? But why should the accounts of a person be used as evidence in one instance and rejected in another, so soon as they are not found to serve the purpose of prosecution? What impartial judge would regard such a scrawl as evidence in preference to the formal account books of the same party that but confirm the correctness of the alterations in it? Had Baba's son Anna, as well as Tatyaba, the writer of the rough memorandum, been examined, their depositions would probably have shown the matter at once in its true light, and why this step for obtaining correct information has not been taken it is difficult to conceive.

21. The item of 100 rupees debited on account of Larcoba is also found debited for him in the account books of Poorshotum Runchore, though, as a matter of course, to the account of Huree Bhugtee, for whose work it was paid, and it is but one of the several items debited to Huree Bhugtee in Poorshotum Runchore's accounts. For this sum no corresponding credit is however found in the account books of that firm, but I do not think that this omission can itself furnish any ground to justify its being considered to be a false debit. It may be an oversight, and the amount being a trifling one, this error could never have been discovered until both the firms had adjusted their accounts with one another. Larcoba denied having received any money when first asked about the sum of 3,100 rupees with which he had been accused in conjunction with Doolun, but when he learnt that there was only a sum of 100 rupees debited to him alone, he admitted that he had received it from Baba Nafdya's son, Anna, not on his own account, but on account of his (Larcoba's) cousin Mancoba, for some English papers that the latter had prepared and copied for Anna.

22. The sum of 500 rupees debited to a goldsmith in this rough memorandum is likewise to be found in the account books in his name, but debited to the account of Poorshotum Wamun Row, a statement of whose account current with the firm of Poorshotum Runchore, extracted from its ledger book for this year, is herewith appended, for the satisfaction of Government. On a reference to the accounts of the goldsmith, however, one sum of 500 rupees, of the same date on which this item is debited in the accounts of Poorshotum Runchore, was not found credited to Baba Nafdya. But if pains had been taken to find out the total number of rupees debited throughout this year in Nafdya's accounts to this goldsmith, I think this difficulty would have been at once cleared up; for according to the goldsmith's deposition, forwarded to me by Colonel Outram with his letter, dated 16 September 1850, it appears that during this year he has received, by four different sums, twice the amount debited to him in this rough memorandum. Two of these sums, viz., one of 425 rupees credited as ready cash receipt on 5th Jesht Wudya, and the other of 75 rupees credited as received from Tatyaba in Ashwun, appear to make up the single item of 500 rupees debited to him in this rough memorandum, the corresponding entry of which in the account books bears date 13th Jesht Shood. And when it is borne in mind that Tatyaba is the writer of this memorandum, the explanation given by Baba Nafdya on this point, at the end of his last examination, appears to be worthy of credit. Had Tatyaba's deposition been taken, it would probably have melted this cloud of discrepancy.

Vide App. (R.), Nos. 1 and 2.

Wherein no date is specified. *Vide* App. (E.)No. (7.)

23. With regard to the last item of 2,400 rupees debited in lump for house expenses, it must be recollected, that it necessarily includes many trifling items extending over a period of nearly three weeks (from 12 Jesht Shood to 5 Assad), and when

when it is borne in mind, that though the whole amount of 21,000 rupees is stated in the rough memorandum as received by different sums throughout that period, it is credited in a lump in the account books on 13 Jesht Sood, *i. e.*, a day subsequent to the date of the first item (of 300 rupees) embodied in it (the amount of 21,000), viz., 12 Jesht Sood. The explanation given by Baba Nafdya on this point in his examination of the 20th August appears to be correct, for when the corresponding creditor and debtor items, making up a total of 18,600 rupees, noticed above (in para. 17 to 19), are taken out, the remaining different items on the credit side make up the amount of 2,400 rupees, which, as a matter of course, must be absorbed in the other different items of disbursements entered in the account books for that time, and if any balance remained, it was assimilated with the rest of the previous account.

Vide App. (E.), No. 5.

24. Having thus disposed of the main subject, I now proceed to make some general observations, and notice some of the chief points, with the view of throwing sufficient light on our respective conduct throughout this lengthened discussion.

25. It is not an uncommon occurrence to meet with an instance in which, though it may be extremely difficult, nay, even impossible, to find proof to secure a legal conviction, yet, in the very appearance of the case, there may be a kind of inherent or moral proof that carries such a degree of conviction with it, that no judgment, however calm and circumspect, can resist its force, and in all such instances to believe an undemonstrated assumption is perfectly justifiable; and had the features of this case appeared to me as such, I should not only have thanked Colonel Outram for enlightening me on the point, but, for the vindication of my character, should have also strenuously endeavoured to bring about Moongajee's and Larcoba's punishment, in a manner that might have even surpassed his expectations; but from the very dawn this subject bore unmistakeable signs of improbability which made me receive Colonel Outram's communications in a spirit so disagreeable to him, and every additional light thrown by him under the same continued erroneous impression so clearly illustrated the insufficiency of merely vague surmises (for in the shape of proof of any kind, he has as yet furnished me nothing) based on groundlessly gratuitous assumptions and false premises, hinged on inconsistent or base fabrications, that I was compelled to adopt the tone of which Colonel Outram so bitterly complains, and which he characterises as the advocacy or the defence of those whose victim he supposes me to have been; and persisting in the same erroneous impression, when he finds he cannot furnish any proof to support the accusations against the parties whom he, from the very first, without a proof (according to his own repeated confessions), believed to be guilty, he endeavours to attribute the failure to the course I have adopted, and threatens to demonstrate the same to Government; in short, he groundlessly believed certain parties to be guilty, whom I considered to be innocent, until I could find any tangible ground to suspect them; and this difference has given rise to this long protracted yet profitless discussion, and has been the main source of the misunderstandings that exist between us, and that compel me to give this trouble to his Lordship in Council, of submitting the voluminous correspondence between us entire; otherwise, I should have confined myself only to the subject at issue, and saved Government all this vain trouble, which I fear can reflect no credit on either of us.

Vide para. 5 of his letter dated 31 Aug. &c &c. &c.
Vide para. 12 of his letter dated 9 Oct.

25. As to believing any one to be innocent, until some good cause is discovered to suppose otherwise, is more consistent with the principles of justice than at once to believe him to be guilty without the least shadow of proof, I have no hesitation in expressing my sentiments freely, that even had my name been no way connected with the matter, and had I been acting merely in the capacity of an independent judge, perfectly unconnected with it, I would have received and treated such accusations in the same spirit, and exposed the fallacies of the arguments advanced, and made requisitions for proof in the same tone as I have done in this case; and when Colonel Outram complains of my having unnecessarily, yet voluntarily, put myself on my defence, and accuses me of having advocated the cause of the parties whose victim he supposes me to have been, he seems to forget that his belief in their guilt, even to this limited extent, materially affected my private character, and naturally implied at least a culpable want of public discretion on my part, inasmuch as that my official conduct towards them must have

Vide para. 4 of my letter dated 18 Sept. 1850.

Vide his letter dated 9 Oct., para. 13, &c. &c.

have been supposed to have been such as to enable them to impose upon the public, that they could unjustly and foully influence me in any matter. In reality, I have done nothing further than exposed the weakness or insufficiency of the grounds he advanced at different times, and made requisitions for further evidence.* For what steps could I take, or how could I proceed against the accused parties without proof; and if I have occasionally written to him in strong terms (for which I have already expressed my regret to him), an excusably indignant sense of justice to myself compelled me to do so, when I found him persisting in his belief without reasonable grounds. How far in adopting such a course I have been guilty of having advocated the cause of the accused, the accompanying correspondence will best show; and I am confident that I cannot be said to have taken upon myself to defend them any more at least than Colonel Outram can be said to have advocated (I do not mean wilfully, but unconsciously) the cause of the libellers, who seem to have taken advantage of his enthusiastic† bigotry in the doctrine of the absolute corruption of the native service to dart their shafts at me and others with impunity.

Vide para. 9 of my letter dated 3 Oct.

26. Colonel Outram's first communication to me was accompanied by an incorrect or imperfect copy of the memorandum of accounts, in which not only none of the erasures were not shown, but the most important of them all, viz., the item debited to "Subhagyawutee" was sadly misrepresented. On examining this paper, as I found the total disbursements exceed the receipts out of which they were stated to have been made by 3,000 rupees, I very naturally concluded that the account was false, and as no other sum on the debit side contained the figure of 3,000, but this entry of "Sowbhagyawuntee," I believed that this very item had been misconstrued to Colonel Outram, especially as the word Dr. was used in that item in reference to the woman, whoever she may have been; and when I referred to the Calendar of 1847 for the corresponding English dates, I found that these accounts referred to dates posterior to the time I had left the residency, a fact which at once convinced me that the accusation was one of *à priori* improbability, as evidently Larcoba could not be supposed to succeed in imposing upon the people, even some time after my return to Surat. As in the memorandum of the explanation, which accompanied this paper, and which, from its style, appeared to contain the result of the inquiry made into the matter by Colonel Outram (but which, as I learned afterwards, was the same that he calls in his first note, Explanation of Hurree Bhugtee's goomashtas, and with which he subsequently coupled Shumbhooram's name as its author), neither was this discrepancy of dates noticed as having occurred to Colonel Outram at the time, nor was any allusion made to the supposed object of payment; and as I did not then suppose Colonel Outram to be so good a Maratha scholar that the Marathee dates could have struck him with this most important irreconcilability, I thought it necessary to point it out to him in reply, as a proof of the improbability of the supposed payments, while in order to satisfy myself on the other point, viz., the falsity of the accounts, I at once wrote to him officially for the original memorandum of accounts, and a comparison of it with the copy that had been sent to me, compelled me strongly to suspect that the misconstruction with which it was attempted to mislead Colonel Outram had been wilfully offered, an inference which was further confirmed by the strange invention of the false story of I and Moongajee driving together in my carriage side by side, which was brought to my notice in Colonel Outram's subsequent communication; and as Baba Fudkya was the only person of a set of well-known intriguing characters in Baroda, whose pecuniary interests in connexion with the petty state of Bhaderwah had very materially suffered by my official conduct while in charge of the Rewa Caunta agency, I very naturally suspected him to be, in some way or other, at the bottom of this affair. The expression of my suspicions and the requisitions I made for information calculated

App. (S.) *Vide* paras. 4 and 5 of my letter dated 12 Oct.; para. 8 of Colonel Outram's letter dated 16 Oct.; and para. 9 of my letter dated 23 Oct. 1850.

Vide App. (B.), Enclosure No. 2.

Appendix (L.)

Vide para. 3 of his letter dated 15 Aug. 1850.

Vide the concluding part of para. 7 of his letter dated 15 Aug. 1850.

---

* *Vide* my letter of the 23d August 1850, especially para. 17; his reply of the 31st August, especially paras. 4 and 5; my letter of the 6th September, with its accompaniments; his replies, dated the 10th and 11th September; my answers of the 12th and 10th September; his letter dated the 16th September, and my answer of the 21st September.

† Such vehement expressions as "scoundrels," &c. used by him during the course of this correspondence, as applying to public servants, can be attributed to no other cause but their ill-founded faith.

lated to confirm or disprove my apprehensions on this point, however, excited Colonel Outram, and a somewhat warm discussion ensued,* which ended in a digression from the main subject and the introduction of a great deal of irrelevant matter, such as allusions to Nursopunt and his son, &c., &c., by Colonel Outram.

27. In reply to the difficulty pointed out to him by me regarding the dates, he informed me in his first reply that he was aware that if the money had been taken by the accused parties it could not have been in reference to Baroda matters,† neither was it supposed to have any connexion with them, but with a very important case about to come before me in Surat, in which certain parties in Baroda had been interested. This vague insinuation puzzled me the more as I could not guess to what case the allusion was made. The only case involving the interests of any parties in Baroda, with which I had anything to do in Surat, was that of Bhanabhaee, referred to me by Government long after my return from Baroda. As this direct reference to me could not have been anticipated by any of the concerned parties beforehand, it appeared to me altogether impossible to suppose that any one of them should have endeavoured to influence me in its behalf twelve months before the case actually came to me; I was therefore obliged to request Colonel Outram to be more explicit on this point, and his reply surprised me not a little, as he told me that the case alluded to in his letter was, as he was afterwards informed, "the dispute between the Bukshee," because this was not a case that was about to come before me at the time to which this money transaction refers, inasmuch as that it was pending since 1842. And as no clue was furnished to me to guess out which of the disputant parties was meant, I had to ask him again to favour me with still further explanation, and his answer was not more satisfactory than his previous information, for he stated therein that he had not ascertained this point, nor was it possible to trace out the connexion, unless Baba Nufdya himself chose to reveal the supposed mystery.

28. On a reference to the depositions of Hurree Bhugtee's goomashtas, it will be seen that Colonel Outram's first information was erroneous, inasmuch as the latter has an evident tendency to lead any reader to believe that the insinuation thrown out by his informants was confined to Surat matters alone, while the fact was that in their vague surmises the goomashtas seem to have alluded to Baroda as well as Surat matters, and supported their suppositions by supposing that the entries might have been post-dated, or that these payments might have been in fulfilment of a prior agreement, and that the items might have been debited to false accounts to conceal the connexion of the real parties. Only two or three of these vaguely acknowledge the fact of any allusion having been made to the case between the Nuwab and the Bukshee, while several of the other deponents can state only that the Colonel Outram had made inquiries to the time regarding the object of payments to Larcoba at a time when I was not there, but their recollections extend no further, and they did not either then hear or do not now remember what explanation was given by Hurree Bugtee's goomashtas on this point. Another striking discrepancy between Colonel Outram's statements, and those of his informants is, that while he says that he was afterwards informed, the goomashtas distinctly declare that all the surmises were communicated to him on the same occasion.

Vide App. (J.), Nos. 6 to 12.

Vide App. (J.), Nos. 1 to 5, &c.

In his letter dated 10 Sept., he says he was informed on the following day.

29. It was painful to observe such discrepancy; I could not but express my feelings to him regarding the fact of his having omitted to give me the slightest hint concerning the object for which these bribes were supposed to have been paid, in his first note, or its accompaniment. This irritated him, and he called upon me to retract and apologise for the expression "painful discrepancy," that I had made use of, and in order that he may have no cause to complain of any discourtesy

* His letter of the 11th September, especially paras. 3 and 4; my reply, dated 18th September; para. 17, &c. of his letter of the 21st September; paras. 13, 14 and 15 of my reply, dated 3d Oct.

† *Vide* para. 6 of his letter of the 15th August; para. 6 of my reply of the 23d August; paras. 8 and 11 of his letter of the 31st August; accompaniment of my letter dated 6th September, Query No. 5; para. 6 of my letter dated 18th September; paras. 12 and 13 of his letter dated 21st September; para. 6 of my letter of the 3d October; paras. 14 and 15 of his letter of the 9th October.

discourtesy on my part, I retracted the term so far as it implied anything offensive, but this does not seem to have satisfied him, as will be seen from the first part of his letter of the 9th October.

30. The only way in which he could account for this most important omission (as will be seen from two or three of his letters, dated in September), was that his first note was written in a hurry, and that he had given instructions to Shumbooram to mention nothing further in the yadee of explanation (Appendix (L.) than what would enable me to understand the case, as he did not choose to wound my feelings by every story that was then related to him regarding the woman, &c. How far this explanation is sufficient to justify his demand for an apology on the above point will be very clearly seen when it is borne in mind that in his subsequent letters there was no statement more insulting than what had been already stated by Shumbooram in the aforesaid explanatory yadee, which, as a matter of course, bore his official signature, for therein Shumbooram was not content with telling me that the Soubhagyawuntee Bayee was my kept woman Doolun, but that I had dismissed her for misbehaviour with a bargeer of the Hoojrat Paga. The cause of her dismissal was thought necessary to be mentioned to enable me to understand the merits of the case clearly, while it was not deemed worth while to notice the object for which the money was supposed to have been paid to her, lest that might offend my feelings, and "mortify" me. How inconsistent this appears, it is not necessary for me to say.

31. From the manner in which Colonel Outram first communicated to me the insinuation regarding the dispute between Jaffer Allee and the Bukshee, it is evident that of all the suggestions made to him by his informants, this appeared to him as the only one that was the most probable, but upon what grounds he adopted this supposition I have yet to learn. Not one of the items is debited to either of the parties, and to suppose that any banker making payments on account of another party to a third individual would not debit the money to the account of the party for whom he has paid it, nor to the account of the receiver, is equivalent to suppose that bankers carry on their business without keeping any regular accounts whatever, and such wild suppositions can have no bounds. Again, if the payments were made on account of either Jaffer Allee or the Bukshee, why one of the items, viz. that of 100 rupees for Larcoba, is debited to the account of Hurree Bhugtee; and since Soubhagyawutee Bayee meant Doolun, why is the item debited to her directly? It was either the Bukshee or Jaffer Alee, or Surpraj Alee, as the case may be, from whom Baba had to recover the money, and not from Doolun. In a word, the absurdity of the supposition is too glaringly apparent to require any further comment.

32. I pointed out to him how utterly worthless the surmises of his informants were, and he in reply, as will be seen, especially from his letter of the 9th October, paras. 8 to 15, forces upon my attention how firmly they believed the memorandum to refer to illicit transactions; that the difficulty of fixing upon the object of payment with precision did not shake them; and elsewhere he tells me that this point was not of much importance in the case. That Colonel Outram himself had considered this point important is however clear, from the fact of his having made the necessary inquiries regarding it that very moment, as shown by his subsequent letters, as well as by the unanimous admissions of all the deponents present in the residency on the occasion when the rough memorandum is said to have been discovered. And he forgets that the difficulty suggested by me, unless satisfactorily cleared up, throws a degree of improbability on their very first gratuitous assumptions, since Doolun's and Moongajee's names are nowhere to be seen, while against the name of Larcoba there is only a small sum of 100 rupees. Before any inference is drawn, it is necessary to examine the correctness of the premises from which it is deduced. But Colonel Outram does not seem to think of this. Again, all suppositions require certain undeniable data, without which every supposition is a gratuitous assumption, and the firmness of belief in such assumptions, showed by any one, instead of proving their correctness, as Colonel Outram seems to imagine, merely demonstrates the fact that such party has a weak judgment, or that his belief is nothing but an insincere affectation. Considering all the features of the case, the latter supposition is more probable with regard to Colonel Outram's informants; and they seem to have acted their part very ably to have made such strong impressions upon his mind

as at once to succeed in prepossessing it in favour of evident improbabilities and absurdities.

33. Independently of the improbability suggested by the irreconcilability of the dates, I had also hinted to Colonel Outram how utterly worthless such a mere memorandum was as evidence; but in order to satisfy me regarding the importance of this paper, he mentioned the following two circumstances in reply:

1st. "But it appears that the memorandum, of which I sent you a copy, was found among Baba Napra's private papers, which he had endeavoured to conceal." *Vide* para. 2 of his letter dated 15 Aug.

2d. "And that the money was disbursed is proved by a corresponding item (as to amount) in the public chopras, wherein the sum is accounted for (but in a different manner, evidently for the purpose of concealing its real destination)."

34. With regard to the first point, it will be observed that the underlinings show how forcibly he wants to urge these points, to give an air of profound importance to this paper; but where but amongst a man's private papers can it be expected to find a rough memorandum of his own accounts? To expect to find it in his master's public chopras (to which Colonel Outram alludes in the same place), or anywhere else, is not natural, and therefore the circumstance of the scrawl having been discovered among Baba's private papers does not give it any weight as evidence, for it neither adds to nor lessens its original importance; it affects it neither ways. And even though the document in question was found amongst a mass of private papers which he had attempted to conceal, what proof is there to believe that at least one of the reasons for doing so was the concealment of this very paper. Have all the numerous bundles of papers he attempted to conceal been found to be of this description? For various reasons which an appeal to one's own heart would render self-evident, there is no man on earth that would not like to avoid if possible a public exposure of his private papers, even though they may not refer to any sort of illicit, unjustifiable or immoral transactions; and, in a word, it is very natural that Baba should have attempted, or at least wished to attempt, to conceal several if not all his private papers. But that he actually did so with that portion of the papers among which this memorandum was found, has not been satisfactorily made out; and on this point I would draw the attention of his Lordship in Council to the detailed account of the circumstances attending the seizure of these papers, as subsequently given by Colonel Outram in paras. 25 and 26 of his letter dated 9 October 1850.

35. Colonel Outram therein states that his requisition for the seizure of Baba's private papers had not been immediately enforced, but delayed at least for more than 24 hours, and admits that "the bundle of papers in which this memorandum was found had the appearance of not having been opened for a long time before it was untied at the residency." He also declares his decided inclination to the belief that "it was not opened in the Baba's house subsequently to the intimation he (Baba) doubtless had received of the intended search." Adding, as a reason, that "if it had, there is little doubt so important a document would have followed the fate of the other papers which he had found time to secrete or destroy." Certainly, since Baba had previous intimation, and had taken advantage of it with respect to other papers, he should have done the same with this; and from his not having done so, the only conclusion that one can draw under the above circumstances is, that either Baba being fully aware that this memorandum had no reference to any illicit transactions, attached no importance to it, or that he was not aware that this rough memorandum was in such a particular bundle. But in either case it is self-evident that he should not have even shown any inclination, much less attempted to conceal the bundle merely for the sake of this very scrawl that was in it, along with other papers. Thus it is clear that the document in question receives no importance from the fact of its having been found in the way Colonel Outram represents it to have been.

The underlinings in the quotation are mine, and not in the original.

36. But what is still more difficult to conceive is, that Baba Nafdya is stated to have endeavoured to conceal the papers in the presence of the very officer who had been deputed by the durbar to seize them, for at the end of para. 26,

talking in reference to the aforesaid particular bundle, Colonel Outram observes, that it was one of those which had been set aside for concealment, when my native agent's fortunate arrival on the spot prevented that purpose being carried into effect; while in para. 25 he states, that "on reaching it (Baba's house) they (Govindrao and native agent) found the Baba and the officer sitting together in the midst of the Baba's papers, several bundles of which had been put aside in a manner tha tindicated that it was intended to secrete or destroy them, besides many loose papers." So far as I can see from this, the only point adduced as a proof of the attempt made by Baba to conceal his private papers is, that the manner in which these bundles had been put aside indicated that it was so intended. But what was the peculiarity in the manner that it so clearly indicated that this was the very intention, it is difficult to guess under the above circumstances, for the officer (who is Shumbhooram, one of the chief actors in this case, as will be seen from other parts of my letter) and Baba were sitting together in the midst of these papers, in a place on reaching which the native agent could see these bundles also. In short, from all this account I am rather inclined to imagine (though I cannot assert it positively as a fact), that the story that Baba had endeavoured to conceal these private papers must be an invention by the native agent to obtain credit for himself.

The underlinings are mine, and not in the original.

37. With regard to the other point, viz. that the disbursement of the money is proved by a corresponding item as to amount in the public chopras, I need only remark that the corresponding item in the public chopras is only 21,000 rupees and not 24,000, and when Colonel Outram makes use of these account-books as authority or evidence to confirm the disbursements stated in the rough memorandum, why does he believe in them only to such extent as they can be supposed to support his views, and disbelieve them wherein they have a tendency to prove the innocence of the accused parties; for, inasmuch as the chopras furnish a positive proof of the disbursement of 21,000, they furnish a conclusively negative evidence of the alleged 3,000 rupees not having been expended. If the whole amount of 24,000 rupees was given away as a bribe, what object could there be in omitting from the chopras a fraction of it? what could prevent one from making room for 3,000 rupees in his account-books, wherein he had accommodated the remaining enormous sum by false debits. In short, to believe that such a large payment might have been made by a man out of his funds without bringing the disbursements to account in his books, or to suppose that he must have made some other accommodation for it, or to suspect that false debits have been made, and the entries have been post-dated to conceal the destination and the purpose of the payments, every stubborn accuser and judge is at perfect liberty, to the extent to which he should choose, to indulge himself in this humour. But from such suppositions and suspicions whose character can be safe? In a word, to allow or encourage such surmises being offered with impunity, or to proceed upon them, would, in my humble opinion, prove prejudicial than otherwise to the efficiency and interests of the native service at least. And their absurdity in this particular instance would be more apparent, when it is borne in mind that the assertion that the amount is differently accounted for in the chopras, with the view of concealing its real destination, is anything but a fact, all the different items composing it being found in the chopras debited in the names of the very same parties as are mentioned in the rough memorandum, and there being besides, instead of the erased items, a sum of 100 rupees debited to the woman "Soubhagyawutee Bayee," with a distinct specification of its being in part payment of 3,100 rupees.

38. The only grounds upon which Colonel Outram so unhesitatingly believed these scandalous surmises, without proof, are distinctly expressed by him in the following passage of one of his letters during the early part of this correspondence:—

Vide his letter dated 31 Aug. paras. 4 and 5, as also para. 2 of his letter dated 10 Sept.

"The course I adopted at once showed that I was confident your name had been abused by the people who had taken the money, for that the money had been taken by Larcoba and the woman not a single doubt appeared in the mind of, or was expressed by any one of the persons present, who were so well able to understand the real meaning of the document which had accidentally turned up. I had no reason to doubt then that such was the meaning of the entry, nor have I now, nor do I believe that any sowcar at Baroda has any doubt of it.

The underlining in the quotation is mine, and not in the original.

But

But the proof that the money was actually given to Larcoba and the woman is another matter."

39. The same argument will be found reiterated in more than one or two of his subsequent letters, and he tells me that these persons belong to a class not likely to be deceived in such cases; but in what consisted the competency of Colonel Outram's informants to judge rightly in the matter, and what positive assurance he had of their trustworthiness or sincerity, I am at a loss to discover. As goomashtas of Hurree Bhugtee, they were not more competent to judge rightly in this matter than any others, for these were Baba Nafdya's private accounts, kept in the name of Poorshotum Runchore, and not Hurree Bhugtee's, as from his official letter of the 15th August, No. 495, Colonel Outram appears to have supposed in the first instance.

40. On a reference to Appendix (J.), No. 6 to 12, it will be seen that out of seven goomasthas of Hurree Bhugtee, only one (No. 7) had taken the rough memorandum in his hand and read it. But not one of them appears to have been a good Maratha scholar, and all the remaining six merely state the contents of the Marattee rough memorandum as they heard Shumbhooram and others read and talk about it. How can one who has not minutely examined this scrawl see what is an interpolation, and judge correctly as to how far it was proper to connect a subsequently added item with one that had been erased, or how far the manner in which Larcoba's item had been introduced therein justified its being considered as connected with all the preceding as well as subsequent items? The impression made on their mind by the manner in which this paper was read and explained in the assembly on the occasion, evidently was, that Larcoba's was not a separate item, but that his name was used by way of (shera) remark, and thus may the judgments of these goomashtas have been deceived; nevertheless they were not in the least the originators of the scandalous surmises. Whatever information they supplied appears to have been communicated by them in reply to queries put to them by the native agent and Shumbhooram, or by Colonel Outram, and its extent appears to have been simply this: they stated that Vishnoo Narrayen was a fictitious name, and that Anna was Baba Nafdya's son, and in regard to the difficulty of discovering the object of such large payments, they offered some very vague surmises alluded to above. With the exception of one of them, viz. (No. 10), Lulloo Bhugwan, who even makes a vague allusion to having mentioned the story of Moongajee driving in my carriage, and implicates the moonshee and Shumbhooram (Nos. 2 and 13) along with himself, none of the other goomashtas have admitted to have related any such story to Colonel Outram; almost all of them point out Shumbhooram and the moonshee as the authors and inventors of the stories connecting Larcoba, Doolun, and Moongajee together, while these two accuse one another as the originator of the suggestion regarding Doolun.

41. Again, when the depositions of these goomashtas were taken, they were called upon to give their opinion regarding the erasures and alterations in the rough memorandum, and their comment on this point is utterly false in respect to facts, inasmuch as they misquote the figures. But there is an evident uniformity in this misquotation which might lead me to conclude that it was the result of a studied conspiracy, and how far these goomashtas were a party to it, it is not easy to decide, because on this occasion merely a copy of the rough memorandum, and not the original paper (for what reasons Colonel Outram, or rather his native agent, must know best) was shown them to be examined. On a reference to para. 7 of Colonel Outram's letter dated 16 October, it will be seen that he asserts that the copy in his office was an exact fac-simile of the original; and his word would have been sufficient to clear all doubts on the point. But sometimes his statements are so evidently opposed to facts, that I hesitate to doubt the sincerity of the goomashtas, for notwithstanding that the copy was shown to them, as is evident from the questions proposed to them by Colonel Outram, in para. 4 of the same letter, he asserts with no less vehemence that the original and not the copy was submitted to them when their depositions were taken. I am afraid that his native agent has deceived him on this point.

42. While from time to time Colonel Outram forwarded to me, with all imaginable readiness, such papers, or their copies, accompanied with such explanations as were in his opinion calculated to strengthen or confirm the scandalous surmises he had once so unhesitatingly accepted, Baba Nafdya's explanation, which was most essential as being, if correct, the only thing that could illustrate the matter in its true light, was kept back from me until the 16th October. At the end of his letter of the 15th August, which he did not forward to me till the 16th, he promises to send me Baba Nafdya's reply; and notwithstanding that Baba's first examination on the most essential point, on which were grounded all the illusory surmises, viz., the erased item debited to "Soubhagyawuttee," had been taken on the 13th August before the durbar, Colonel Outram, in his letter of the 19th idem (para. 2d), says, "I am disappointed in not yet having got Baba Nafdya's examination from the durbar, which, owing to the holidays, I do not suppose has yet been taken;" * and again, in his letter of the 31st August 1850, at the end of para. 5, in representing Baba Nafdya and his son Anna as not likely to divulge the fact, he observes, that they "have heretofore, I am told, refused any replies to the queries put to them by the durbar on the subject," while in reality Baba had been most minutely examined long before that day, his examinations having been held on the 13th, 14th, 20th, and 25th of August, on which occasions, according to the papers furnished to me, he does not appear to have refused an answer to any question proposed to him. Further, the very statement in a question proposed to the Baroda bankers by Colonel Outram on the 15th August, that, in the presence of his Highness, Baba had owned the rough memorandum, and Tatyaba (son of Baba's wife's sister) admitted to have been its writer, appears to me to betray some glimpse at least of the knowledge of Baba's first examination; and when it is borne in mind that the explanation then given by Baba regarding the erased item, supports the view taken of it by the committee I had assembled here to examine the original rough memorandum in question, there remains but very little doubt that in this imperfect course of forwarding partially prosecutive evidence, and reserving, under apparently false colours, such as was opposed to it for a time in the back ground, may be traced an attempt to practise (for such length of time as was possible) "suggestio falsi et suppressio veri" against the accused parties.

Vide P.S. to his letter of 13 Oct.

Vide App. (O.)

43. This painful inference is no less strengthened by the fact, that while Colonel Outram so urgently forced upon my attention the falsity of these accounts, and furnished me with the observation of the Baroda bankers, that though they were of opinion that the identity of the sum of 12,000 rupees, credited in Samul Bhugtee's account books, was established by a coincidence of the dates with a similar sum debited to Hurree Bhugtee in Narrayen Rao Runchore's chopras as part of the sum of 18,000 rupees credited by the latter to Poorshotum Runchore, the account books did not appear to them to prove this connexion. Extracts from the account current of "the Soubhagyawutee Bayee," as well as corresponding extracts of each other's accounts from the ledger books of Poorshotum Runchore, and of the different parties to whom the several items were debited, were not furnished to me, as requested by me in the accompaniment of my letter of the 6th September. This insinuation knowingly thrown out regarding a fact, the validity of which the bankers, however, dared not deny, implied "suggestio falsi," inasmuch as that it was intended to impose upon me, that though corresponding credit was found in Samul Bhugtee's chopras, the transaction after all was suspicious, while the only means that could enable me to expose the falsity of the hypothesis which supported this statement, were not furnished to me until my sherishtedar, deputed by me for the purpose, examined the account books on my behalf, and brought me extracts therefrom. He has reported to me that it is customary in Baroda for all bankers and others to debit or credit sums to the account of Hurree Bhugtee alone, though this firm enters these transactions in that set of its books which bear the name of Samul Bhugtee; and as it is almost impossible to believe that the bankers could be ignorant of this practice, I suppose they were either constrained (by what I cannot guess) to misrepresent facts, or have wilfully done so. In either case, however, their conduct justifies the observations contained in the concluding part of my letter dated 6th September 1850.

Vide his letter dated 16 Sept. paras. 5 and 6.

Vide App. (T.), Nos. 1 and 2.

Vide point 2d.

Vide Appendices (P.) and (Q.)

44. The

* *N. B.*—The underlinings in the quotations are mine, and not in the original.

44. The inability expressed by the Baroda bankers who examined the account books to trace out how the remaining sum of 6,000 rupees (out of the 18,000) were disposed of, appears to me to be another instance of a similar but extremely weak attempt. To those who understand anything of accounts, this difficulty would never have occurred, neither would they have rejected the explanation given by Baba Nafdya on this point, in his examination of 25th August, as false. So long as it has not been found out that the balance of the account in which the whole sum of 18,000 rupees was credited (to Poorshotum Runchore) as brought over to the account of every succeeding month, was not deficient by 6,000 rupees, it is absurd to question the validity of the item, merely because it cannot be distinctly ascertained (from these accounts) in what particular disbursements every one of these six thousand coins was spent. Where there are receipts from various sources and disbursements as numerous, it is not always possible to trace out such connexion between them. I defy any firm carrying on business as extensively as Narrayen Rao Runchore (one of the partners of which it is not to be forgotten is the well known firm of the Gaekwar Government, "Gunnesh Eshwur") to prove the contrary by their account books. According to the principle which Colonel Outram seems to adopt (for, if otherwise, why should he have proposed such a question to the bankers, and sent their answer to me as an evidence for prosecution?) one might suspect an item credited to a Mahal Treasury in the account books of the Collector's office, merely because it cannot be found out therein how that very sum was appropriated to the payment of what particular drafts, or to defray what particular charges.

Vide App. (T.)

Vide App. (E.), No. 5.

45. Notwithstanding that Colonel Outram showed apparently want of candour in causing secret inquiries to be directly made in Broach to test my statement regarding the time of Larcoba's recent visit to Surat, I am not at all inclined to impute the unimpartial course complained of in the preceding three paragraphs to him, not merely because he has repeatedly assured me of being actuated by a purely friendly spirit towards me, and of his having regarded me as a victim and not an accomplice of Larcoba, but also because I strongly suspect (as I have all along expressed to him) that he was misled by designing parties. His native agent, and Shumbooram and others, appear to have very cleverly imposed upon him by keeping him in ignorance of the real facts, and by suggesting to him every false argument that could appear to support the view they had once communicated to him; thus a little want of penetration, coupled with a degree of obstinacy, so characteristic of a highly prejudiced mind, brought matters to this extreme, and prevented the inquiry from being ever turned into a right direction. If Colonel Outram believed the rough memorandum to refer to illicit transactions, the first step necessary for him to have taken was at once to examine Baba Nafdya on the point, and then to weigh how far his explanations were satisfactory or otherwise. If Colonel Outram was told, as he asserts in his letter of the 31st August, that Baba had heretofore refused to give any replies to the queries put to him by the durbar, why did he not at once get Baba in his presence and examine him personally? What prevented him from doing so up to the 14th October? Instead of taking this right course, why did he in vain protract the discussion for such a length of time? In paragraph first of his letter dated 30th September 1850, Colonel Outram talks of the expectations held out by Baba of ultimately revealing the real nature of the transaction; but in the examinations herewith submitted, no symptoms of any such expectations having been held out by Baba are traceable, for his answers are distinct and clear, and I therefore suspect that this must be a trick played by his informants to lull Colonel Outram, and protract the closing of Baba's examination as long as possible, in order that I might not be soon put in possession of it, for evidently they could not but have apprehended it as prejudicial to the progress of their intrigues.

Vide his letter dated 11 Sept., para. 3; and my reply dated 18 Sept. para. 3.

Vide para. 3 of my letter dated 27 Sept. 1850; his letter dated 30 Sept.; his letter of the 5th Oct., paras. 3 and 5; my answer dated 15 Oct., paras. 4 and 7.

46. Regarding the clumsy and careless manner in which alterations or corrections have been made in the rough memorandum, Baba Nafdya, when examined on the 13th August, observes, that "it was prepared for his own understanding;" and this expression appears to have been made use of by Colonel Outram as supporting the view taken by Hurree Bhugtee's goomashtas, that these alterations were made fraudulently with the view of self-understanding, and of evading the attention of others. The subtlety of such a reasoning would be apparent to every man of business, who would compare his rough drafts and memoranda

Vide App. (E.) No. 1.

Vide para. 8 of his letter dated 13 Oct.

memoranda with their neat and fair copies; and if one is asked why, in his rough memorandum, he has altered what he had once written, and why, in the formal document, the altered and corrected version is found, and not an exact copy of that memorandum as it was originally drafted, what answer I wonder would he give, but that the rough memorandum was drawn up to help his own memory, and for his own understanding; and would this answer alone prove that any fraud was practised in making those alterations subsequently in a rough draft?

Vide the concluding part of his letter dated 13 Oct. P.S. dated 16th, para. 2.

47. Another attempt to make Baba Nafdya's explanations regarding these pecuniary transactions worthless as a satisfactory evidence, has been made by taking advantage of his apparently false explanation as to how and from whence he obtained the sum of 21,000 rupees, which he had stated to be his own money. But let every one for a moment consult his own feelings, and say if Baba was not constrained to tell a falsehood in this respect. The question proposed to him on this point evidently involved such a difficulty that no honest man, even who may have during the whole of his life earned every farthing of his private funds by the most legitimate means, would unhesitatingly submit to give the required explanation, much less could a man like Baba, who is well known to have enriched himself by every illegitimate as well as legitimate means, and who being (if I am rightly informed) accused of embezzlement of enormous sums, as well as of a more serious charge, was in custody, and that too under a native government, be expected to give a true account of the whole of his wealth, to show satisfactorily whence and how he amassed it, and to produce his private accounts, that it may be seen what he was still possessed of. Who would submit to such an ordeal? Baba might as well have been asked to give a similar explanation regarding the capital he may have invested in these firms when he first established them, and it would then be seen if he would give a more true and satisfactory reply than he has done respecting this sum of 21,000 rupees. The argument advanced by Colonel Outram at the end of the P.S., dated the 16th October, to his letter of the 13th idem, with the view of exposing the falsity of Baba's account, that this was his money, is no less futile than absurd. If Colonel Outram means that every banker would invest the whole of his capital in trade, and reserve no part of it at home, I am afraid the mercantile community will not readily testify to the truth of this doctrine. It would not be amiss to remark here, that the opinion of the Baroda bankers, that this sum of 21,000 rupees did not appear to them to be a deposit belonging to a third party, seems rather to confirm than disprove the explanation given by Baba Nafdya, that it was his private funds.

Vide App. (V.)

48. In order to give an air of falsehood to Baba Nafdya's explanations, a still bolder attempt is made in the insinuation that the accused and concerned parties could communicate with Baba. But until a satisfactory proof is adduced, I would regard this as an effusion of vexation in which a total disappointment in imaginary pursuits finds a refuge when all other means have failed; and because Baba Nafdya's explanation regarding the payment of 100 rupees to Larcoba appears to him to differ materially from the qualified admission of the latter, Colonel Outram attributes this discrepancy to the fact that Baba gave his replies before he had time to compare notes with Larcoba & Co. It must not be forgotten that Baba was then if not in actual custody, under a very strict surveillance at least; and admitting, as Colonel Outram thus appears to do, that Baba had no communication with the accused parties up to the date of his examination regarding Larcoba, how would he account for the discrepancy between the explanation given by Baba, and the construction put upon the erased item of 3,100 rupees by his advisers?

Vide para. 4 of his letter of 13 Oct. 1850.

49. From his observations, it is very clear that while on the one hand Colonel Outram endeavours to show that Baba Nafdya's explanation is false, inasmuch as that he does not confess this rough memorandum to refer to his illicit transactions, and instead of admitting that he paid the money to Larcoba and Doolun on my account, proves by the account books of both his firms how the amount was appropriated, Colonel Outram, on the other hand, makes use of the same evidence against Larcoba as conclusive with regard to the payment of 100 rupees. All that I need remark on this point is, that the rough memorandum, supported by a corresponding item in the account books, coupled with Larcoba's

own

own admission, were sufficiently convincing proofs of the fact; and since Baba Nafdya's explanation (given before he could communicate with the accused parties, according to Colonel Outram's own confession) corroborates it, one point is clear, that the erased item originally debited to "Soubhagyuwuttee Bayee" was not the same as debited to Larcoba, and that therefore the contiguity of the names does not necessarily establish a connexion between the two. At the same time, from the smallness of the sum (viz. 100 rupees) it may be safely inferred as a matter of course, that however unjustifiable it may be for Larcoba to have received it, he certainly could not have imposed upon the donor that it reached me, and this is enough to clear my character.

50. From different parts of his several letters, it will be seen that Colonel Outram presumes to suppose that I wanted to stop the inquiry and to defeat the ends of justice; and especially by his letter of the 9th October, he appears to imagine that I was very much concerned about Doolun, and was striving to screen or defend her as well as I could, for he, in a very friendly tone, tells me therein that if I had taken the right course she need not have been so prominently brought forward. In regard to these insinuations, decidedly implying unfriendly accusations, I beg most respectfully to observe, that notwithstanding that the first notice was given to me in a partially private form by Colonel Outram, the very first step towards commencing a regular inquiry into the matter was officially taken by me, as will be seen by my public letter of the 8th August, and Colonel Outram's reply thereto of the 15th idem, forwarding to me the original rough memorandum of accounts, &c. Now, if I wanted to stop the inquiry, was this the course that I would have adopted at once; or should I have been the first to tell him that I would submit the matter to Government? My own personal knowledge made me confident how basely false these libellous accusations must have been, and I was eager to take up the matter for the vindication of my character, to bring the authors of such scandals to punishment. The interposition of Colonel Outram alone prevented my approaching them to make them fully answerable for their unsupported surmises, so voluntarily offered in the first instance. If I have shown any warmth, of which Colonel Outram complains, it was not because the matter was taken up, and so prominently discussed, but because he conducted it in such a manner that the real accusers were allowed to occupy a secure position behind him, from whence they could safely retreat whenever they chose. During such a protracted discussion, under the peculiar circumstances of the case, it was very natural that I should occasionally express my vexation at the imperfect manner in which, to say the least, every improbable and inconsistent information was supplied to me as evidence in confirmation of such scandals; and I therefore humbly trust that his Lordship in Council will do me the justice to excuse me for it, and attribute the vehemence I may appear to have displayed, to no base motive or ungentlemanly feelings.

Vide his letter of 21 Sept.
Vide my reply of 3 Oct. para. 9.
Vide paras. 7, 12, 18, 19, &c.

Vide my letter dated 23 Aug. P.S. dated 24, para. 2, another subsequent letter.

51. When I pointed out to him the inapplicability of the term "Soubhagyawutee Bayee" to a kept woman, and explained to him the cause of the omission of the affix "Saheb" after the word "Bayee," which alone he was advised would distinguish a respectable soucar's wife from a prostitute, I was no more defending Doolun than he may be said to have accused her in the first instance. I offered these remarks merely to show how he had been imposed upon by surmises based on improbable and absurd premises. But continuing under the same delusion, he accused me of having eulogised the courtezan, and when I challenged him to prove a charge so dishonouring to me, he referred to such passages and expressions in paras. 4 and 5 of my letter of the 18th September as were manifestly applicable only to public servants of Government. The subtlety of the reasoning adopted on this occasion by Colonel Outram is too glaringly apparent to require any lengthened comment from me, and I most earnestly submit the point to the special decision of Government. For the very arguments advanced by me would show that instead of praising a courtezan, I meant to dispraise all such characters, inasmuch as that I maintained that the term "Soubhagyawutee" even was too respectable to be applied to a prostitute. It would not be amiss to remark here, that the supposition offered by me, that the omission of the affix "Saheb" in the rough memorandum was to be attributed solely to the fact that it was a familiarly worded paper, is confirmed by the committee I had assembled here; and when it is borne in mind that the writer of this

Vide my letter dated 23 Aug. para. 4; his reply dated 31 Aug., para. 6.
Vide my letter dated 6 Sept. 1850.
Vide my letter dated 18 Sept., paras. 8 and 9.

Vide para. 17 of his letter dated 9 Oct. 1850.

Vide para. 8 of my letter dated 3 Oct. 1850.

Vide paras. 8 and 9 of my letter dated 18 Sept., and App. (B.), Answer No. 5.

this memorandum was nephew to Baba Nafdya's wife, to whose Soubhagyawutee Bayee's account the erased item was originally debited, all doubts are at once dispersed. Further, the termination "yanchey," denoting the noun Bayee, qualifying the substantive debtor in the possessive case, being in the plural number, it may be adduced as another reason that the mere omission of the affix "Saheb" did not represent the bare words to be sufficiently devoid of respect to warrant a sudden inference that they were applied to anybody's kept woman. In short, I was not defending my supposed mistress any more than that I was endeavouring to prove to Colonel Outram that in every point of view the unfortunately false assumption gratuitously surmised to the prejudice of my private character was wholly unwarrantable under the circumstances of the case.

52. In para. 3d of his letter of the 9th October, Colonel Outram asserts that I deputed my sherishtedar to Baroda with instructions that I had not communicated to him. But I deputed him for no other purpose but that of examining the account books, as can be clearly seen from para. 2d of my letter of the 21st September 1850. The extent of my instructions was to examine the mutual accounts current of all the parties concerned from their respective ledger books, but especially the account of "Soubhagyawutee Bayee," and the account current between Narayen Runchore and Huree Bhugtee, as the diffident manner in which the insinuation thrown out regarding the item of 12,000 rupees embodied in 18,000 could not but confirm me in the belief that Colonel Outram was actually imposed upon by designing parties.

53. For fear of increasing the bulk of this despatch to unnecessarily tedious dimensions, I refrain from noticing various other more minor points, such as his accusing me of taking into my counsel the accused parties and a relative of Baba Nafdya, with whom he must be in close communication, his requisition for information from Jaffer Alee, and above all, his insinuations against my sherishtedar Nurbhyram, &c.; but should I be furnished by Colonel Outram with a copy of his statement to Government on this subject, as has been more than once promised by him, I shall make such further observations as his representations may appear to me to demand, in addition to what I have already stated in this letter. For all that I have herein said, no extraneous proof or explanation from Colonel Outram is required, since all my remarks and arguments are based upon the accompanying papers, the originals of every one of which I can furnish, if required.

Copy of Colonel Outram's report has since reached me, but I am now incapacitated by illness from fulfilling this intention.

54. A careful perusal of Colonel Outram's letters from the 31st August up to 20th October, cannot fail to strike any impartial reader with the singular fact that while, on the one hand, he repeatedly asserts that he is neither the accuser of any of the parties implicated, nor the judge in the matter; that he neither encouraged nor countenanced their accusations, and that, incensed at such a base prostitution of my name, he was merely endeavouring, for my sake, as a private friend, as well as for the sake of the British honour as a public officer, to enable me to demonstrate the falsity of native surmises by bringing the accused parties to punishment, he, on the other hand, does not scruple, at the same time, to throw out every improbable and inconsistent insinuation or adduce unfounded arguments, evidently with the view of maintaining his own ground as well and as long as possible. But this half-retreating manœuvre, instead of bearing confirmatory testimony to the friendly feeling, and an anxious regard to my honour, as professed throughout, appears rather to betray an inward conviction of the weakness of the position he had once inconsiderately occupied, and a simultaneous obstinacy of disposition against giving it up candidly. Notwithstanding that the accused parties are innocent of having ever prostituted my name in the way Colonel Outram believes them to have done, yet had he, at any stage of this protracted controversy, but satisfactorily proved to me that, as the case stood, their guilt was not a matter of "*à priori*" improbability, I would have had no hesitation in thanking him for his regard to my character, and would not have had now to complain of the course or tone he has adopted towards me during these proceedings.

55. It will be seen prominently that Colonel Outram tries to explain or justify his conduct throughout by arguments based entirely upon the groundless assumption that the accused parties were really guilty. The only imaginary ground upon which this assumption was at once presumed, and so pertinaciously maintained,

maintained, is the alleged "circumstantial evidence" of the rough memorandum. But what was therein beyond an item of 100 rupees debited to Larcoba? And though such a rough scrawl is utterly worthless as a legal proof, yet I admit that singly Larcoba's guilt to this extent was not altogether a matter of "*à priori*" improbability, notwithstanding he that has ultimately been found to be innocent. But to connect his name in the first instance with an erased item debited to an unknown woman, to assume that this woman must, as a matter of course, be my kept mistress, and that she must be Doolun, then using Larcoba's name as a general remark applicable to all the items debited above and below; to suppose that they both must have obtained such enormous sums of money by a base prostitution of my name, and to take it for granted that since Moongajee was a relative of Larcoba (towards both of whom my conduct was alleged to have been such as to impress people with an idea that they enjoyed my unlimited confidence), he also had a share in these illicit transactions; again, assuming this train of connected surmises as unquestionably established axioms, to suppose thereupon that corrections were made in the rough memorandum for the very purpose of concealing this foul affair; that an enormous sum was credited under a fictitious name with no other view; that the item erased was actually disbursed without bringing it to account in the formal account books; that the entries were either purposely post-dated, or that the payments were made on account of either Jaffer Alee or the Bukshee; that the names of the parties on whose accounts these bribes were paid, as well as of those to whom the payments were really made, have been purposely omitted and substituted by the names of another firm, &c., to conceal the real nature of these transactions, and so forth; and above all, to advance such suppositions as solutions of the very difficulties that demonstrated the utter impossibility as well as improbability of the very first premises from which they had been deduced; all this I beg most respectfully to urge was so far a digression from the usually natural course of human reasoning, that no friend of strict justice could have so readily yielded to it. In a word, the surmises of Colonel Outram's informants were no less than prophetic revelations and gratuitous yet confident assumption, and to consider them probable even (much less to believe in them as does Colonel Outram), betrays an extraordinary degree of faith in the magically miraculous powers of the judgment and foresight of their authors. In fact, such a procedure throughout is apparently attributable either to an uncommon degree of credulity or to a want of friendly and just regard for my honour.

56. Since he was actuated by a purely friendly spirit towards me, ought not the discovery of the fact that the very story related to him to prove how far people had reason to believe Moongajee to be my protégé was a sheer invention, to have induced him to doubt the sincerity of his informants, who profusely indulged in but vague surmises? Ought not the hesitatingly confused and evasive manner in which his informants made their statements when called upon to give their depositions, and which was so far short of actual precision requisite in matters of this description as to throw a disagreeable degree of inconsistency over the whole of the proceedings, to have warned him to be on his guard? Ought not the discovery of the facts, that in the very commencement a false copy of the most important paper, upon which were founded such scandalous charges, was furnished to me evidently with no other motive than that of deceiving me, and that the comment passed upon the erasures in this paper by every one of his informants was utterly false? Ought not these and such other points to have made him more cautious at least in giving credence to everything that was told or suggested to him in a matter involving a base prostitution of my name? But instead of this, the very reverse is observable in his conduct, and in one of his letters, he very sarcastically turns round upon me, and asserts as follows: "And likewise fully aware that about the date referred to, you were judicially concerned in cases (to come before you at Surat) involving the interests of parties at Baroda, you chose to assume in your reply to my first letter, that I must have meant that the memorandum referred to affairs transacted while you were acting resident at Baroda." How far Colonel Outram is justified in making such an unbecoming remark, and how far it breathes a friendly spirit, I respectfully leave it to my superiors to decide.

Vide para. 9 of my letter dated 23 Oct.

Vide my letter dated 12 Oct.

57. Notwithstanding that Colonel Outram's conduct does not appear to me to be reconcilable with his professions of candour and friendship, I shall not, however,

however, be so uncharitable as to doubt his word. I therefore content myself with his repeated assurances on this point, and all that I insist upon is, that in his anxiety to enable me to get those who were supposed to be guilty of a foul prostitution of my name punished,—as repeatedly expressed by him very feelingly, especially in the following passage: "Your tone would lead an unconcerned reader to fancy that I had been your accuser, instead of the indignant repudiator of allusions made by others; that I had sought out and sanctioned charges against you, instead of warmly expressing my displeasure that any one could for a moment believe that any mingling up of your name was not a foul prostitution of it by base men, for base purposes; a prostitution of it which I thought it my duty, as a friend and fellow-countryman, to make you aware of, that you might seek out those guilty of it, and have them punished;"—he has virtually allowed his informants so basely to prostitute my name with impunity; and this was all that I meant whenever I complained to him in a tone of disgust or regret that he countenanced or encouraged charges affecting my private character and public discretion. I therefore submit the point for the special decision of his Lordship in Council, whether or not I have just cause to complain that in consequence of a little want of penetration at least on the part of Colonel Outram, I have in vain suffered, inasmuch as that I was permitted to be indirectly insulted by base libellers.

Vide the conclusion of para. 12 of his letter dated 12 Sept.

58. From all that has been said above, it will be clearly seen that, to say the least, the awkward and inconsistent reasoning, as well as the course adopted in this case, justify my supposition that the prosecution of Larcoba, &c., however imperfect, was the result of a conspiracy, one of the chief characters in which it may be safely assumed is Shumbhooram. It is difficult to ascertain correctly whether or not Huree Bhugtee's goomashtas had wilfully joined him in his intrigues, inasmuch as they adopted his scandalous view, and attempted to proceed thereupon to explain how the apparently improbable accusations (improbable in consequence of the dates of this transaction being posterior to my return to Surat) could be brought within the pale of probability. I have shown above that, to a certain extent, there are sufficiently strong grounds for supposing that these goomashtas might have been deceived, inasmuch as that they were not able to examine the original rough memorandum minutely, either on the occasion it was found, or on the day their depositions were taken. They have apparently done nothing further (unless the copy of the rough memorandum shown to them was a fac-simile of the original) than did Colonel Outram; *i. e.* they believed in certain suggestions and insinuations thrown out by others, and probably for the very same reason that Colonel Outram had, viz. that they may have considered Shumbhooram and the residency moonshee as endowed with unerring judgments and acute penetration; under this supposition the memorandum which accompanied Colonel Outram's first note is no more the explanation of these goomashtas than it is that gentleman's own. In his second letter Colonel Outram is more explicit, and he styles the memorandum as the "explanation of the goomashtas and Shumbhooram;" and so far as he calls it an explanation of Shumbhooram, his statement is perfectly true, and fully borne out by all the depositions he has forwarded to me; and if he had substituted the words "residency moonshee" for "the goomashtas," nothing could have been more correct.

Vide Appendix (L.)

59. How far the explanation given by Shumbhooram and the moonshee was the effect of premeditation it is not easy to ascertain; but as the duty of seizing Baba Nafdya's papers and bringing them to the residency was assigned to the former, who has taken a prominent part in this case, there is some slight ground to suppose that he may have had an opportunity of seeing the rough memorandum before the time when it is said to have been accidentally discovered in the residency, for in para. 26 of Colonel Outram's letter of the 9th October last, he admits as follows:—"I cannot say whether the paper in question had or had not been seen by any one until the moment before it was shown to me on my attention being excited by the littering, &c. of the people assembled." That there was unanimity between Shumbhooram and the moonshee is apparent, from the fact of the latter having handed over the rough memorandum (so soon as it is said he found it) to the former; because it was evidently more natural for the moonshee on such occasions, and in such instances, to have first placed the paper into the hands of the head of his department, *i. e.* the native agent, than

than to have given it to a carcoon of the Guicowar Government, like Shumbhooram. In a word, the moonshee and Shumbhooram appear to be at the bottom of this affair, and if at all, only one of the goomashtas, viz., Lulloo Bhugwan, from the tenor of his deposition, seems to have been their assistant. Inasmuch as these two were the authors of the explanations suggested as correct, they were the only active agents, while the rest of the assembly, who seem to have adopted their view (whether they really believed in the truth of their insinuations, or merely affected to do so), were no better than passive tools in their hands. *Vide* App. (J.), No. 10.

60. The deceitful misrepresentations of the erasures and alterations, in the rough memorandum of which Shumbhooram was perhaps the sole author, are apparent in his own deposition, as well as in the memorandum of explanation that he first drew up, wherein he entered all that the moonshee had said regarding the woman supposed to be kept by me, while he omitted the explanation given by Huree Bhugtee's goomashtas, which alone could have given them a due share in the authorship of this memorandum. Again, with regard to the story of Moongajee and I driving together in my carriage side by side frequently, he denies being the inventor of it; but, according to Colonel Outram's statement, he supported this story when it was related to that gentleman by the goomashtas. He very vaguely, and therefore evasively, asserts that he merely repeated to Colonel Outram what he heard others say on the occasion, but until he shows distinctly with whom it originated, and from whom he heard it before he represented it to Colonel Outram, I must consider myself indebted to him for this insolent compliment also. In a word, Shumbhooram appears to me to be the chief misleader, and the moonshee was merely his accomplice. Without making any allusions to the character and conduct of either of them, I beg most respectfully to urge the bare fact on the notice of his Lordship in Council, in the hope that Government, for the sake of doing full justice to me, may take such measures as may be thought proper to show its displeasure towards them who are clearly the originators of this uselessly troublesome affair, and, as regards myself, are base libellers, who have acted their part cleverly enough to deserve some notice. *Vide* App. (J.), No. 13. *Vide* para. 2 of his letter of 31 Aug.

61. In conclusion, I must make a few remarks on the conduct of Colonel Outram's native agent, Soorujram, throughout the case. To one who may take the trouble of minutely examining the rough memorandum, as well as the accounts of Poorshotum and Narayen Runchore, and Samul Bhugtee, the falsity of the scandalous accusations brought forward by Shumbhooram, cannot fail to strike at once; and, with these means at his disposal, I think it was the duty of the native agent to endeavour to find out the truth, and represent this simple matter in its true light to Colonel Outram, rather than to have assisted the conspiracy in increasing that gentleman's erroneous and misdirected suspicions. Had but the native agent not neglected his duty there would have been no cause for any misunderstanding between Colonel Outram and me, neither of us would have had so much vain trouble, and the whole of this trouble, accompanied, I fear, by a considerable sacrifice of its valuable time in the arbitration of a groundless point, would have been saved to Government; and such a grave omission on his part is attributable either to incompetency or to a wilful connivance at the proceedings of Shumbhooram and others. The latter supposition is more probable, though, I fear, (from what I have heard of him from competent natives) that the former cause also may have been combined with it to make him behave in the way he has done.

62. He omitted, at least, to superintend properly the work of making a correct copy of the rough memorandum sent to me, on a reference to which it will be seen that Larcoba's item is misrepresented, inasmuch as that it is shown to be a part of the item of "Soubhagyawutee Bayee," which even is not erased. In fact, this misrepresentation must have been intentional, that it should support the misconstruction put upon it by Shumbhooram and the moonshee.

63. I admit that the omission of a point especially required by duty may or may not be wilful, and therefore though it is not less than a grave fault in either case, yet the degree of its criminality may entirely depend upon the circumstances. But telling falsehoods knowingly is, under all circumstances, highly criminal, and I therefore beg to draw the attention of his Lordship in Council

to the fact that when I complained to Colonel Outram of the imperfectness of the copy he had furnished to me, the native agent had the courage to say that the copy forwarded to me was an exact fac-simile of the original memorandum.

64. Again, who but the native agent could have, by false representations, deceived Colonel Outram to make the statement that the original memorandum, and not the copy, was shown to the goomashtas, when their depositions were taken at the end of the month of August, a statement disproved by the very depositions forwarded to me by him with his letter of the 31st August last.

Vide para. 4 of his letter of 16 Oct.

65. Further, Colonel Outram very distinctly, though not less passionately, asserts in para. 7 of his letter of the 16th October, that the copy of the rough memorandum kept on his records proves to be an exact fac-simile of the original, and not a false copy as I had supposed. Should this be correct, the circumstance does not lessen the guilt of the native agent, but it aggravates it. How was it then that he allowed every one of the deponents (seven in number) to misrepresent figures, and thereby draw false conclusions and unwarrantable inferences? Ought he not to have represented to Colonel Outram at the same time, that the comment they, one and all, passed on erasures, was not borne out by the paper itself that was submitted for their examination? For that the comment and the original paper are widely different, is undeniable, and I challenge any one to show me the figures 24,000 in the original, in which, though erased in three places, the figures 23,650 are distinctly legible. Under such circumstances, it is natural to conclude that the native agent countenanced these base (and so far as regarded me scandalous) accusations at the expense not a little of Colonel Outram as well as of myself; for, on the one hand, if the copy was actually false, he being the head of the native department, must be considered to be at least a party to a fraud, calculated to deceive those whose opinions were taken with the very purpose of proving to me the guilt of the individuals whom they had accused on imaginary grounds; and, again, on the other hand, if the copy was correct, as asserted by Colonel Outram, the native agent was still a party in league with the conspiracy, inasmuch as he openly connived at glaring falsehoods calculated to injure the accused at the sacrifice of justice.

66. With regard to the native agent's past history, it is enough to say that he is a time expired convict, and a reference to the Kaira records may probably furnish some testimony to his character, while a young man, and I understand that he obtained a footing in the Government service at first in the Mahee Caunta, where he probably served under Colonel Outram, who seems to entertain so high an opinion of him; but from his conduct in the present case, I trust Government will see how unsafe it is to have such a character as the head of a native department in the residency.

67. Under these circumstances I trust his Lordship in Council will see fit and necessary to show some mark of their displeasure towards the native agent also, in a manner that his behaviour in this case may appear to them to deserve.

68. In consequence of the length of this Report, I apprehend I may be considered exceedingly troublesome, and become an object of disgust; yet, no apology can, I think, be required from me on this point, when, by a perusal of the accompanying copies of the correspondence, his Lordship in Council will perceive how I have been pursued and unavoidably driven to adopt this course.

I have, &c.
(signed) *W. C. Andrews,*
late Acting Resident of Baroda.

Bombay, 20 January 1851.

P.S. As this correspondence was commenced, and continued for some time in a private form, the copies of some of the first letters exchanged between us were made on letter paper, and I could spare no writer were I to get them recopied on foolscap: I trust I will be excused for sending copies of the whole of the correspondence on letter paper instead of foolscap.

(signed) *W. C. Andrews.*

EXTRACT Bombay Secret Consultations, 26 November 1851.

MINUTE by the Right Honourable the Governor. No. 907 B.

I HAVE gone most carefully through the Reports of Colonel Outram and Mr. Andrews on this matter, and I have read with attention the whole of the long and acrimonious correspondence that has taken place between these two gentlemen; I have likewise examined the Appendices by which their Reports are accompanied.

2. I defer recording the conclusions at which I have arrived in regard to this subject, until we shall have determined on the course we shall pursue relative to Nursoo Punt, as it is impossible, though it may not be probable, that revelations may hereafter be made that may influence my judgment.

I, however, circulate the papers for the information of my colleagues.

15 May 1851. (signed) *Falkland.*

EXTRACT Bombay Secret Consultations, 26 November 1851.

MINUTE by the Honourable Mr. *Blane.* No. 907 C.

HAVING looked through these papers, I pass them on to the Honourable Mr. Bell.

I concur in the disposal of them being deferred until the proceedings on the charges against Nursoo Punt shall have been decided upon.

16 May 1851. (signed) *D. A. Blane.*

EXTRACT Bombay Secret Consultations, 26 November 1851.

MINUTE by the Honourable Mr. *Bell.* No. 907 D.

THIS case having no connexion whatever with the charges preferred against Nursoo Punt, I see not the least objection to its being at once disposed of: as the Right honourable the President, however, has proposed a different course, and which has been concurred in by the Honourable Mr. Blane, I defer to their view.

24 May 1851. (signed) *A. Bell.*

EXTRACT Bombay Political Consultations, 26 November 1851.

FURTHER MINUTE by the Right Honourable the Governor. No. 907 E.

LIEUTENANT-COLONEL OUTRAM, C. B., Resident at Baroda, on the 16th December 1850, addressed Government on the subject of a correspondence which had passed between himself and Mr. Andrews, the Judge of Surat, and previously acting as Resident at the Gaekwar Court during the absence of Sir Robert Arbuthnot. From Mr. Andrews also a statement was received, dated 21st January last, but that gentleman was at the time very ill, and as I was informed that any mental agitation might be attended with fatal consequences, I forbore to take the case up when first submitted. The death of Mr. Andrews followed shortly afterwards, and I would then have disposed, without further delay, of this subject, but for the appearance of other papers and statements from Baroda, with which it was possible that it might be more or less closely connected. We now find that the case before us may be safely treated by

itself, and without reference to others, and that there is no reason for keeping it any longer open.

2. The circumstances out of which this very voluminous correspondence has originated may be shortly stated.

3. On the 31st July 1850, during an examination at the Baroda residency of the private papers of Baba Nafra, then accused of having made away with the child of the younger widow of his late master, the head of the firm of Hurry Bhucktee, bankers of Baroda, a paper was discovered, which appeared to be a rough memorandum of entries to be made in the books of the firm. The following is an exact translation of the paper, carefully made in the office of the Persian Secretary to Government, and shows the various alterations and erasures upon the face of the original.

MEMORANDUM of Receipts and Disbursements from the Month of 2d Jesht to the 5th Ashar Shood.

Receipts:

1,000
23,~~650~~ from Paruck Vishnoo Narayen, (viz.)
300 (on the) 12th Shood.
700 (ditto) 1st Vud.
4,000 from 4th Vud to 8th Vud,
1 (viz.)
350 (on the) 4th Vud.
350 (ditto) 8th Vud.
3,100 (ditto) 8th Vud.

4,000
1

650 (on the) 10th Vud.
14,000 (ditto) 4th Vud.
4,000 (ditto) 5th Ashar Shood.
350 ditto.

23,~~650~~
1,000

In the name of:

18,000 in the name of Parukh Narayen Row Runchor, (viz.)
14,000 (on the) 4th Vud.
4,000 (ditto) 5 Ashar Shood.

18,000

3,100 ~~in the name of the married and unwidowed lady~~.
(On the) 8th Vud Unna took to the camp on account of Larcoba.
500 to Ookba Souar.

18,600
400
2,~~550~~ for the house expenses.

23,~~650~~
1,000

4. It appears that the persons employed in the examination of Baba Nafra's papers at once declared to Colonel Outram their decided belief that the meaning and intent of the above document was a note, that the sum of 3,100 rupees had been paid by Baba Nafra to Larkoba, and to a prostitute named Doolun (designated "Soobagwunta Baee," or as translated, "in the name of the married and unwidowed lady"), for the purpose of obtaining their influence with Mr. Andrews in some matter about to be subjected to his judicial decision.

5. That the paper thus viewed is of a suspicious nature is very possible; but nothing whatever has been elicited from the closest examination and comparison of every entry with the real books of the firm, beyond proof that the trifling sum of 100 rupees was actually paid to Larcoba, then a clerk in the English office at the residency. On what account this payment was made is not clear; a plausible but unsatisfactory explanation has been offered, and it is certainly possible that it was for some improper purpose. But with the conduct of this man Larcoba we need not concern ourselves, unless it can be connected with that of Mr. Andrews himself, and of this I cannot perceive the least tangible indication.

6. It is, I conceive, deeply to be regretted that the subject has not been laid before us in the plain and simple form which might have admitted of a short and easy decision. The document stands by itself; it has been collated with the banker's real books, and commented upon by those most conversant with the habits of native merchants, and their mode of keeping their accounts and books; but nothing can be proved from it, and even the suspicion raised from it is of a vague and doubtful character. What then remains but to dismiss the papers from our consideration as a document of no value whatever.

7. But

7. But I am compelled further to remark that the correspondence now before us, carried on as it has been in a bitter tone and acrimonious spirit between two high functionaries of the Government, is extremely irregular, and merits the gravest censure.

8. When Colonel Outram first discovered what, in his opinion, indicated a transaction touching Mr. Andrews' character, I consider that it was Colonel Outram's duty to have patiently investigated the matter in the first instance, and not to have allowed it to proceed further until assured of its real nature. Instead of acting thus, it appears that Colonel Outram instantly, without the least hesitation, reflection, or examination, communicated to Mr. Andrews what was nothing more than a vague surmise and shadowy suspicion of something wrong, by which Mr. Andrews' honour might possibly be compromised, and so placed the latter gentleman on his defence before prepared with the smallest proof in support of the charge. Under such circumstances, it might have been expected that Mr. Andrews would have treated the affair with contempt, or have sought the protection of Government against the insult of an unfounded accusation. And had he adopted either of these courses, he might have been right; but unfortunately he adopted a different line of procedure. Mr. Andrews replied to the charge; he defended himself in a loose, uncertain, and somewhat inconsistent manner; and lastly, he deputed a subordinate officer of the Government under his own immediate orders as the Judge of Surat, to make inquiries for him, and collect information and evidence in the city of Baroda. The mission of the sheristadar I regard as perfectly unjustifiable; and I am surprised that the Resident, Colonel Outram, to whom it was made known in the beginning, did not perceive its impropriety and put a stop to it at once. Had Mr. Andrews still been living, I should have proposed to notice this part of his proceedings in terms of just severity; and I should also have proposed to have made the most searching investigation into the reputed misbehaviour of his messenger when at Baroda; but under present circumstances, promotion having been withheld from Nurbharam Kessondass in consequence of his conduct, I conceive it is desirable to close this case at once, since no object can be gained by pursuing any further inquiry, or keeping it longer open, because the sheristedar will always have it in his power to assert that he acted under the orders of his official superior (Mr. Andrews), a fact which we now have no means of disproving, except in so far as his former statements have been at variance with Mr. Andrews' report.

9. I will, therefore, in conclusion, only observe that I view the conduct of Mr. Andrews, as shown in these papers, with much displeasure; and at the same time I cannot approve of that of Lieutenant-colonel Outram, though to the latter officer must be allowed the merit of having been actuated by perfect purity of motive and an earnest zeal, however misdirected it may in some respects have been, for the vindication of the honour of the Government and its servants.

Colonel Outram may be instructed to express to his Highness the Gaekwar the regret of Government that anything in the conduct of Nurbharam Kessondass when at Baroda should have been distasteful to his Highness, and to tell his Highness that promotion has been withheld from that individual in consequence.

19 November 1851. (signed) *Falkland.*

EXTRACT Bombay Secret Consultations, 26 November 1851.

FURTHER MINUTE by the Honourable Mr. *Blane.* No. 907 F.

I CONCUR generally in the Right honourable President's view of this case, and in the manner in which it is proposed to be disposed of, except that I would not inform the Gaekwar that Nerbheram's promotion has been withheld in consequence of his conduct having been distasteful to his Highness. I would suggest the addition of the words "of the share taken by him in the proceedings in connexion with which his conduct is complained of," or words to that effect.

20 November 1851. (signed) *D. A. Blane.*

EXTRACT Bombay Secret Consultations, 26 November 1851.

No. 907 G. FURTHER MINUTE by the Honourable Mr. *Bell.*

I ALSO concur in the mode it is proposed to dispose of the case; but if I might venture an alteration, I would suggest to transpose the view taken of the conduct of the parties concerned, thus:—"I will therefore, in conclusion, only observe, that though I cannot entirely approve of the conduct of Mr. Andrews as shown in these papers, at the same time I view with much displeasure that of Lieutenant-colonel Outram, though," &c. &c. &c.

I attribute far greater blame to Lieutenant-colonel Outram for having acted so indiscreetly, than to Mr. Andrews' irritability of temper, justly caused by the wanton publicity of so distressing a charge, considering Mr. Andrews' position in society.

21 November 1851. (signed) *A. Bell.*

EXTRACT Bombay Secret Consultations, 26 November 1851.

No. 907 H. FURTHER MINUTE by the Honourable Mr. *Blane.*

IT is not on record that the late Mr. Andrews furnished Nerbheram with any instructions to do more than compare the accounts, which Colonel Outram ought obviously to have had brought to the residency instead of sending Nerbheram into the durbar. The mixing up of the durbar in the discussion, by sending Nerbheram's statements to his Highness, was also, I think, a marked indiscretion on the part of Colonel Outram. I therefore attribute more blame to the latter than to the former, but do not consider that the Right Honourable President's expression of viewing the late Mr. Andrews' conduct with much displeasure is stronger than warranted.

22 November 1851. (signed) *D. A. Blane.*

EXTRACT Bombay Secret Consultations, 26 November 1851.

No. 907 I. FURTHER MINUTE by the Right Honourable the Governor.

I ASSENT to the addition of the words proposed by the Honble. Mr. Blane, but I do not agree with my honourable colleague, Mr. Bell.

22 November 1851. (signed) *Falkland.*

EXTRACT Bombay Secret Consultations, 26 November 1851.

No. 420 of 1851.—Secret Department.

No. 907 J. From the Chief Secretary to the Government of Bombay to Lieut.-Colonel *Outram*, C.B., Resident at Baroda.

Sir,

1. I AM directed by the Right Honourable the Governor in Council to acknowledge the receipt of your letter, No. 273, dated 16 December 1850, on the subject of a correspondence which had passed between yourself and Mr. Andrews, Judge of Surat, who had previously acted as Resident at Baroda during the absence of Sir Robert Arbuthnot.

2. Government likewise received from Mr. Andrews a statement relative to the same correspondence, dated the 21st January last. That gentleman was at

at the time in Bombay so dangerously ill, that it was intimated to the Right Honourable the Governor that any mental agitation might be attended with fatal consequences; the consideration of the matter was therefore deferred. Other communications having reference to cases which it was deemed probable might bear on that of Mr. Andrews, were shortly after transmitted from Baroda, and the decision of Government on the latter was in consequence still further postponed. Since that period Mr. Andrews died of the disease by which he was attacked at Bombay, and Government having entered on the investigation of the cases subsequently forwarded, does not consider them so connected with the disagreements which have taken place between yourself and Mr. Andrews as to render prolonged delay in coming to a decision on the causes of these disagreements necessary.

3. It would appear from these papers, that on the 31st July 1850, during an examination at the residency of the private papers of Baba Nafra, then accused of having made away with the child of the younger widow of his late master, Bechur Samul, a paper was discovered, which appeared to be a rough memorandum of entries to be made in the books of the firm. The following exact translation of it is entered, showing the various alterations and erasures on the face of the original:

MEMORANDUM of Receipts and Disbursements from the Month of 2d Jesht to the 5th Ashar Shood.

Receipts:	In the name of Payments:
1,000	18,000 in the name of Paruck Narain Row
23,~~650~~ from Paruck Vishnoo Narayen (viz.)	Runchor, (viz.)
300 (on the) 12th Shood.	14,000 (on the) 4th Vud.
700 (ditto) 1st Vud.	4,000 (ditto) 5th Ashar Shood.
4,000 from 4th Vud to 8 Vud (viz.)	18,000
1	3,100 ~~in the name of the married and unwidowed lady~~.
350 (on the) 4th Vud.	(On the) 8th Vud Unna took to the
350 (ditto) 8th Vud.	camp on account of Larkoba.
3,100 (ditto) 8th Vud.	500 to Ookha Sonar.
4,000	18,600
1	400
650 (on the) 10th Vud.	2,~~550~~ for the house expenses.
14,000 (ditto) 4th Vud.	23,~~650~~
4,000 (ditto) 5th Ashar Shood.	1,000
350 ditto.	
23,~~650~~	
1,000	

4. The persons employed in the examination of the papers at once declared to you their belief, that the above document showed that a sum of money had been paid by Baba Nafra to one Larcoba and to a prostitute named Doolun (designated in the memorandum as Soobagwuntee Bhaee, a term which is translated "the married but unwidowed lady"), for the purpose of obtaining their influence with Mr. Andrews, in a matter about to be subjected to his judicial decision.

5. The Right Honourable the Governor in Council directs me to state, that although this document may possibly be of a suspicious nature, nothing whatever has been elicited from the closest examination and comparison of every entry written in the real books of the firm, beyond proof that the trifling sum of 100 rupees was actually paid to Larkoba, then a clerk in the English office at the residency. It is not clear on what account this payment was made; a plausible but unsatisfactory explanation has been offered, and it is certainly possible that it may have been for some improper purpose; there is, however, no occasion for Government to consider the conduct of Larkoba, unless connected with that of Mr. Andrews, of which no tangible indications appear.

6. Government, I am to inform you, deeply regret that this subject was not laid before them in the plain and simple form which might have admitted a speedy decision. The document on which the accusation was based stands by itself; it has been collated with the bankers' real books, and commented on by men conversant with the habits of native bankers, and their mode of keeping their books, but I am directed to observe nothing can be proved from it, and

even the suspicion raised by it is of a vague and doubtful character; it is therefore dismissed by Government from consideration, as a document of no value.

7. I am instructed to state that with these observations Government would have willingly closed the case, had not the correspondence in it been carried on in a bitter tone and acrimonious spirit which merit the gravest censure.

8. When first you discovered what in your opinion indicated a transaction affecting Mr. Andrews' character, it was, I am directed to state, your duty patiently to have investigated it, and not to have allowed it to proceed farther, until assured of its real nature. Instead of acting thus, it appears to Government that, without the least hesitation, reflection, or examination, you communicated to Mr. Andrews what was in reality nothing more than a vague surmise and shadowy suspicion of something wrong, by which Mr. Andrews' honour might possibly be compromised, thus placing that gentleman on his defence before you were prepared with the smallest proof in support of the charge.

9. Under such circumstances, it is the opinion of Government that Mr. Andrews might have treated the affair with contempt, or sought the protection of Government from an unfounded accusation; he adopted a different line of procedure, replied to the charge, defended himself in a loose, uncertain, and somewhat inconsistent manner, and, lastly, deputed a subordinate officer of Government, placed under his orders as Judge in Surat, to make inquiries for him, and collect information and evidence in the city of Baroda. I am to state that Government regard this last act of Mr. Andrews as perfectly unjustifiable, and that it is a matter of surprise to Government that its impropriety was not immediately perceived by you, and that you did not immediately put a stop to the sheristedar's proceedings.

10. Mr. Andrews' death has, it appears to Government, rendered it unadvisable to pursue any further inquiry into this person's conduct whilst at Baroda, and the same cause operates to prevent Government from remarking on Mr. Andrews' conduct in this particular instance in the terms of just severity that it might otherwise have been necessary to employ.

11. I am instructed to state that the Right honourable the Governor in Council views the conduct of Mr. Andrews, as shown in these papers connected with this case, with much displeasure, while at the same time your own proceedings cannot be approved, though, I am directed to add, his Lordship recognizes in your conduct the merit of having been actuated by perfect purity of motive, and an earnest zeal, however misdirected it may in some respects have been, for the vindication of the honour of Government and its servants.

12. I am desired by the Right honourable the Governor in Council to request that you will express to his Highness the Gaekwar the regret of Government that anything in the conduct of Nurbheram Kessondass, while at Baroda, should have been distasteful to his Highness, and to inform his Highness that promotion has been withheld from that individual in consequence of the part taken by him in the proceedings in connexion with which his Highness had found reason to complain of him.

I have, &c.
(signed) *A. Malet*,
Chief Secretary.

Bombay Castle,
26 November 1851.

(True extract.)

(signed) A. Malet, Chief Secretary.

7.

Collection No. 1 of No. 90, Bombay Political Department, Letter from, dated 1 December 1851.

BARODA.

On the Subject of an Application from *Venayek Moreshwer Furkey*, for Redress in certain Matters connected with the Baroda State.

TABLE OF CONTENTS.

No.	From.	To.	SUBJECT.	Date and Number of Document.	Date and Number of Consultation.	Page.
1.	Petition from Venayek Moreshwer Furkey.		Prays that Government will afford him redress for the oppression which he alleges he has suffered from the Gaekwar Government.	1850: June 24	1850: Oct. 30 8,800.	234
2.	Minute by the Honourable Board - - - - - - - - - - - -			Oct. 14	Oct. 30 8,801.	234
3.	Secretary to Government.	Venayek Moreshwer Furkey.	Referring him to the Resident at Baroda -	Oct. 24	Oct. 30 8,802.	235
4.	Extract paras. 8 to 10 from a despatch from the Honourable Court of Directors, dated the 15th January, No. 3 of 1851, directing that Captain French be allowed the opportunity of affording an explanation of his proceedings in respect to Moreshwer Furkey.			1851: - - -	1851: - - -	235
5.	Chief Secretary to Government.	Captain French, late Officiating Resident, Baroda.	- - Furnishing him with an extract as above from the Honourable Court's despatch, and requesting him to supply the explanation therein called for.	June 9 2,456.	June 9 4,384.	235
6.	Chief Secretary to Government.	Colonel Outram, Resident at Baroda.	- - Furnishing him with a similar extract from the Honourable Court's despatch, and informing him of the reference made to Captain French on the subject therein referred to.	June 9 2,457.	June 9 4,385.	236
7.	Captain French, late Officiating Resident at Baroda.	Chief Secretary to Government.	- - Submits the explanation called for in Government letter of the 9th instant, touching his proceedings in respect to Venayek Moreshwer Furkey.	June 11	July 2 5,064.	236
8.	Minute by the Right Honourable the Governor, subscribed to by the Honourable Mr. Blane.			June 26	July 2 5,065.	241
9.	Minute by the Honourable Mr. Bell - - - - - - - - - - -			June 27	July 2 5,066.	241
10.	Chief Secretary to Government.	Resident, Baroda	- - Transmitting an extract, paras. 8 and 9, from the letter from Captain French, dated the 11th instant, respecting Venayek Moreshwer Furkey, and informing him that Government adheres to its resolution not to interfere between this individual and his Highness the Gaekwar.	June 28	July 2 5,067.	242

Bombay Castle,
1 December 1851.

A. Malet,
Chief Secretary.

—No. 1.—

EXTRACT Bombay Political Consultation, 30 October 1850.

No. 8,800. PETITION from *Venayek Moreshwur Fudkey*, to *A. Malet*, Esquire, &c. &c. &c.

Honoured Sir,

UP to this time I have on many occasions made petitions to the Government, and to your Honour, with the view of obtaining my rights, but I regret to say, that owing to my adverse fortune I have not as yet succeeded in this object.

Without any offence on my part having been committed, and for no cause whatever, I have recently suffered oppression from the Guickwar's Government, and I have been deprived of my character. Being a subject of the Honourable Company's Government, I prayed that Government to grant me redress and justice; but although my claim is just, the Government did not take it into their consideration, and my right to be treated as a subject of theirs was denied. I therefore submitted in grief to this decision and remained passive; but by your Honour's favour, the honoured Colonel Outram has now established my title to be considered a subject of the Honourable Company's Government, and has asked for the sanction of the Government to make an inquiry. Having been apprized of this, I have taken the liberty of addressing your Honour as my patron, and I am assured that you will kindly spare a small portion of your invaluable time to consider my case, and that having done so, an order will be sent to Colonel Outram, authorizing him to act in the manner he has suggested. On this occasion I look to your Honour alone for protection, since I have no other protector, and for this reason, I am induced thus to importune your Honour, and to entreat that you will kindly afford me your help and influence in obtaining for me that justice to which I feel that I am entitled, and which your Honour is fully able to have rendered to me. I am confident that your Honour is always in every way favourably disposed towards me, and that you will not fail to do all that is in your power to advance my welfare, without any entreaties on my part, but on the present occasion I am compelled to implore your special interposition on my behalf, for if instructions be not sent to Colonel Outram to make the requisite inquiry, the members of the Guickwar's Government will entertain feelings of increased enmity towards me, and the consequences will be, that I shall be entirely ruined, and there will be no resting-place for me in this world; I therefore humbly conceive that your Honour should espouse and advocate my cause, since I have been disgraced and persecuted without any just ground. My earnest hope is, that through your Honour's intervention I shall be enabled to vindicate my injured character and reputation, and that afterwards I may thankfully receive from your hands the means of earning a moderate competence for my future support.

I remain, &c.

(signed) *Wenayek Moreshwur Fudkek.*

Baroda, 24 June 1850.

—No. 2.—

No. 8,801. MINUTE by the Right Honourable the Governor, concurred in by the Honourable Mr. *Willoughby* and the Honourable Mr. *Blane*.

PETITIONER may be referred to the Resident, to whom the orders of Government were issued on the 1st instant.

(signed) *Falkland.*
J. P. Willoughby.
D. A. Blane.

14 October 1850.

— No. 3. —

No. 4,852 of 1850.—Political Department.

From *A. E. Goldsmid*, Esq., Secretary to Government, Bombay, to *Venayek Moreshwur Fudkey*. No. 8,802.

In reply to your petition, dated the 24th June last, I am directed to refer you to the Resident at Baroda, to whom the orders of Government were issued on the 1st instant.

By order, &c.
(signed) *A. E. Goldsmid*,
Secretary to Government.

Bombay Castle,
24 October 1850.

— No. 4. —

Extract Bombay Political Consultation, 9 June 1851.

Extract paras. 8 to 10 from a Letter from the Honourable the Court of Directors, dated the 15th January (No. 3) of 1851. No. 4,384.

8. Lieutenant-colonel Outram's letter of 22d June 1850 seems to establish conclusively that this individual is a British subject, and Captain French, who led Government to believe on most insufficient grounds that he had forfeited the rights belonging to him in that character, is justly chargeable with culpable negligence.

Complaint of Venaik Moreshwur Baba Phurkey, of oppressive treatment by the Guicowar's government.

9. Baba Phurkey was for a short time in the service of the Guicowar, from which he was dismissed; and according to his own statement and Lieutenant-colonel Outram's, was, on a false charge of conspiracy, placed in confinement, his house searched, and many of his papers carried off. He was subsequently liberated, on giving security that he should not leave Baroda for three months.

10. By accepting office under the Guicowar, Baba Phurkey voluntarily subjected himself to such chances of subsequent molestation by his Highness's officers as might arise from the customary practices of the Baroda State. Although, therefore, Lieutenant-colonel Outram expresses a strong conviction that the treatment to which that individual has been subjected was brought on him solely by the aid which he afforded to the Resident in detecting malversation and corruption, there would have been no ground on which we could be called on to interfere in the matter were it not asserted by the petitioner that the harsh measures were adopted in concert with the officiating Resident, Captain French. That officer admits that he suggested Baba Phurkey's dismissal from office. Instead, however, of referring Lieutenant-colonel Outram's letter to Captain French for explanation, you gave a virtual rebuke to Lieutenant-colonel Outram for bringing forward the subject. We regret that you did not accept Captain French's offer to give that full explanation which was due to Government in regard to his alleged part in the transaction complained of, and we direct that the opportunity of giving such explanation be now afforded to him.

— No. 5. —

No. 2,456 of 1851.—Political Department.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to Captain *P. T. French*, late Officiating Resident at Baroda, Bombay. No. 4,384.

Sir,

With reference to your letter No. 69, dated the 18th of April 1850, relative to Venayek Moreshwur, formerly in the service of the Gaekwar Government,

I am directed by the Right Honourable the Governor in Council to transmit to you an extract paras. 8 and 9, and part of para. 10, from a letter from the Honourable the Court of Directors, No. 3, dated the 15th of January last, together with copy of a letter from the Resident at Baroda, No. 131, dated the 22d of June 1850, and to request that you will furnish Government with a full explanation with reference to the part you are alleged to have taken in the proceedings complained of by that individual.

I have, &c.
(signed) *A. Malet,*
Bombay Castle, 9 June 1851. Chief Secretary.

— No. 6. —

No. 2,457 of 1851.—Political Department.

No. 4,385. From *A. Malet,* Esq., Chief Secretary to Government, Bombay, to Lieutenant-Colonel *Outram,* Resident at Baroda.

Sir,

With reference to your letter No. 131, dated the 22d of June 1850, in the matter of Venayek Moreshwur, I am directed by the Right Honourable the Governor in Council to transmit, for your information, an extract, paras. 8 and 9, and part of para. 10, from a letter from the Honourable the Court of Directors, No. 3, dated the 15th of January last.

2. I am desired to intimate that a reference has been made to Captain French on the subject of these paras.

I have, &c.
(signed) *A. Malet,*
Bombay Castle, 9 June 1851. Chief Secretary.

— No. 7. —

Extract Bombay Political Consultation, 2 July 1850.

No. 5,064. From Captain *P. T. French,* late Officiating Resident, Baroda, to *A. Malet,* Esq., Chief Secretary to Government, Bombay.

Sir,

I had last evening the honour of receiving your letter, No. 2,456, of the 9th instant, with accompaniments.

2. I shall first proceed to reply to the Honourable Court's paras. 8, 9, and 10 of a despatch dated the 15th January last (No. 3).

Para. No. 8 says, I led Government to believe, on insufficient grounds, that Venaiek Moreshwur Baba Phurkey had forfeited his rights as a British subject. Those grounds were, however, such as Government approved of, and on them declined reopening the question on the 14th July 1850, when urged thereto by Colonel Outram. In reporting on the petition of the Phurkey, I simply gave one extract of a Government letter (as far as I can now recollect) bearing on the case in question. It seemed to me too simple to require any remarks in addition, and with what I reported Government were satisfied. I used no arguments, but told that the complainant had resided at the capital of his Highness the Guicowar for years, and was but lately in his service. This was told to Government through the political secretary, who was intimately versed in Baroda affairs, and to whom the complainant was and had been for years personally known. Therefore I urge, with due submission, that this portion of the subject has been misapprehended by the Honourable Court. Be there any "culpable negligence," it lays not at my door.

3. By an Act of the Legislative Council, an inhabitant of a native State residing for three months within the British territory becomes a British subject, but

but it would seem that a residence of years in a native State by a man from our district does not make him a naturalised subject of that State. The Honourable Court, however, in the 10th para., admit there would be no grounds for, in the case of the Phurkey, interfering, were it not asserted that his treatment was adopted in concert with the officiating Resident, thereby, in my opinion, annulling the previous decision that he was a British subject.

4. This conclusion is come to on the grounds of the petitioner having been in the Gaekwar's service, "There would have been none on which we could be called on to interfere in the matter," and this, in my opinion, completely exonerates me from the "culpable negligence" spoken of, on the supposition of the petitioner being a British subject, unless indeed there is such a case as a British subject who has forfeited his claim to protection, and yet remains a British subject entitled to it.

5. His Lordship in Council will, I trust, bear this in mind—for I shall try to avoid again referring to it—his decision by the Honourable Court, given in the 10th para., "that the petitioner, by accepting office under the Government, voluntarily subjected himself to such chances of subsequent molestation by his Highness's officers as might arise from the customary practices of the Baroda State." It confirms all I have said on my non-interference in the case of the Phurkey to be hereafter adverted to, and fully bears out the propriety of my conduct, as well as proves that the Honourable Court in their 8th para. misapprehended the case.

6. Of the Court's despatch there now remains to be noticed only the concluding lines of the 10th para. I do not, and never did admit that I suggested to his Highness the removal of Baba Phurkey from office, and this you will find stated in my letter No. 69 of the 18th April 1850; but had I been aware of the man's character, as I subsequently became, I would most assuredly have strongly urged on his Highness the great impropriety of retaining such a man in his service.

7. I now proceed to obey the orders of Government contained in your letter under acknowledgment, that is to "furnish a full explanation with reference to the part I am alleged to have taken in the proceedings complained of by that individual" Baba Phurkey; premising, however, that I am about to speak from memory, for I have no notes on the matter by me, but be there any errors, the Assistant Resident, Lieutenant Battye, may be able to detect them.

8. I reported to Government (1st June 1849, No. 144), that I failed in inducing the Gaekwar to employ vaccinators in his domain, and that I exonerated his Highness, but deemed the killadar the person in fault. A very few days before urging his Highness on this point of vaccination, I heard that a man I never had then seen, the main subject of this correspondence, Venaik Moreshwur Baba Phurkey was in his employ, on a salary of 200 rupees per month, I consequently told his Highness there was little wisdom in, on the score of poverty, declining to meet the wishes of Government, when he gave such a salary to a man holding no office, a man his father had ordered to be expelled the city. At this interview, Lieutenant Battye, Gopal Row Myral, the killadar, and Gaekwar's karkoon, who attends at the residency, were present.

Vide letter, No. 69, dated 18th April 1850, to H. E. Goldsmid, Esq.

9. I must have informed the last referred to personage of my Report to Government, for that evening, or soon after, his Highness came to the residency and asked for a private interview, wherein, in presence of only Lieutenant Battye and the killadar, he very strongly urged that I was wrong in supposing the killadar the cause of his non-compliance in the vaccination cause.

10. Time passed on, but how much I cannot say, nor can I the date of Baba Phurkey's dismissal, when one evening his Highness again came to the residency without any previous intimation of his intention, and asked me to get into his carriage; we drove some way, when having reached a retired spot, and there being, besides his Highness and self, only the above alluded to karkoon (Govind Row Rori, now the Gaekwar's vakeel here) in the vehicle, he ordered the horses to be taken out, and all the followers to remove to a distance; his Highness was very agitated, said he had come out on pretence of an ordinary drive, and "that his breath had come up into his nostrils," meaning he was in peril.

peril. Out of his confused utterings, I gathered that the killadar and Baba Phurkey were intriguing, causing disunion in his family, concocting petitions to Government against him in the name of Appa Saheb, the elder of his Highness's brothers. I then reminded his Highness of what I had said of the killadar and Baba Phurkey in the vaccinator's matter, and he allowed I had conjectured rightly. The opportunity was not to be lost, and his Highness being too agitated to speak fluently, I went on to detail the harm that might come of evil advisers, that Government could but wish his welfare, and that the Resident was the exponent of the views and wishes of Government, with much more it were needless to trouble Government with; but I told him distinctly, that neither the killadar or Baba Phurkey were subjects of my Government, and that the remedy lay in his own hands. Had Lieutenant Battye been at the residency when the Gaekwar called, he would have been with us in the carriage. I am forbidden to see Baroda people, and therefore cannot refresh my memory by questioning the other party present. Govind Row Rori, after much conversation, and a promise by his Highness to in future confide more in the Resident, went home, and I, on returning to the residency, related all to Lieutenant Battye, from whom I never concealed a word or thought on any official subject.

11. When the above occurred, I do not recollect; nor if Baba Phurkey was then in his Highness's service.

12. Again time sped on, when one morning at the usual hour of calling, the Gaekwar's vakeel told me his Highness's people, Jassoos, had been placed round and in Baba Phurkey's house, but had failed in finding some petition to Government they had information and were in search of, and that they had only time to examine some of the money papers they found in the house, and of which he brought up two; I now forget to what one referred to, though I think I heard it read, but the other was quite sufficient to indicate his Highness's fears as expressed in the carriage. It was not addressed to Baba Phurkey, but to some assumed person.

13. This paper stated that the petition to Government regarding the death of his Highness's younger (half) brother, Abba Saheb, was wrongly worded, inasmuch as Gunput Row (the Gaekwar's name) was given as that of the deceased, instead of Abba Saheb; you will doubtless recollect that such a petition came to me from you for report, and that I stated correctly the names of the deceased prince (whose death had been duly reported) and of his Highness, adding that I had heard nothing of foul play towards the deceased, the petition having asserted that he was poisoned. His Lordship will recollect I am speaking from memory.

14. Of the intention of the durbar to surround the house of, and place in durance, Baba Phurkey, I knew nothing, and did not require to know aught; he had, in the words of the Honourable Court, voluntarily subjected "himself to such chances." I was not and did not require to be consulted by his Highness as to the steps he would adopt to detect the intrigues of his late servant, one who had for years been residing in his capital. I was in no way concerned, and was perfectly indifferent, and therefore did not retain or take copies of the letters above referred to. Lieutenant Battye was in the office some distance from the residency, or he would have seen this letter, and but for my utter and entire indifference in the matter I would have sent it to him. The only interference on my part was to warn the vakeel against any barbarous proceedings, for such would be highly injurious to his master's fame; I had little fear of any such proceedings, yet I often, I suppose, asked how the case of Phurkey was progressing, for I recollect the vakeel saying, his Highness only required good security that he would refrain from intriguing, but that he offered "guarantees" as security, and on them his Highness knew too well he had no hold.

15. I have now told all I can recollect of this case, and may, on taking up Colonel Outram's letter, find some matter to refresh my memory. But before considering that communication, I would draw the attention of Government to my letter of the 13th January 1850, wherein I told of certain writings in English, and in the hand of the head clerk of the Baroda residency, found

on

on the above occasion in the house of this intriguer, and on account of which the head clerk, Mr. Hykoop, was fined one month's salary. I may also mention that I had never seen Baba Phurkey bare him, neither then or afterwards, any enmity, until soon after I had spoken to his Highness about paying him a salary, when he declined entertaining vaccinators, when he, the Phurkey, called and remonstrated. I informed him of all I had said, and the grounds thereof, to the Gaekwar, at the same time advising him to refrain from intrigue, and he would, doubtless be employed again. I remarked above, that the Phurkey had a salary but no office, and such was the case I was informed, the salary having been given to keep him quiet, to keep him from intriguing, which means in this case, causing disunion in the palace, and writing anonymous letters to Government, such as that epistle found in his house. In fact the man was out of employ, is stirring, clever, and ambitious, and one of a class to be found in and about all courts in every part of the world, with more wit and leisure at command than pecuniary resources.

16. I saw him twice here since the occasion just referred to, and was very much amused with his talents, wit, and information. Though not connected with the case under reply, yet as Colonel Outram has so extolled the Phurkey, I may remind Government that he is now under charges of bribery in the Rewa Kanta Agency, where he is said to have done such good service. This I know from the Baba himself.

17. This may be the only opportunity open to me of mentioning another circumstance, unconnected with this case, except in so far as his veracity is concerned: speaking to him of the assertion by Joetabhaee of the firm Hurree Buktee & Co., that she bore a child to her late husband, he laughed, and said, no one at Baroda believed it; that when the elder widow was confined he gave the hurkara who brought the intelligence five rupees, but that when one came telling Joetabbaee had borne a child to her deceased husband, he tried to escape any present, and at last gave one rupee to get rid of the messenger. This I know he has since denied, but that he told me the above I assert, for I lost no time in letting the Resident of Baroda know of it, being aware of his ideas regarding the supposed child, as well as of the estimation in which he held Baba Phurkey.

18. I shall refrain from enlarging or making any commentaries on the above of a prince, such as the Gaekwar, being in the state told of, and of the utter hopelessness of his being carried along in the march of civilization so long as he remains in such a state. The matter given speaks for itself. In my letter of the 18th April 1850, to which you refer, I said, "I should be happy of an opportunity of telling the result of 17 months' experience at Baroda in regard to such persons as Baba Phurkey, having in any way a hold on or claim to protection from our Government," but the hour is not propitious or has not come, so I now proceed to notice any points in Colonel Outram's letter, No. 131, 22d June 1850, not already replied to in the foregoing.

19. I see nothing in the Resident's first and second paras. to notice not already replied to. To me it was a matter of perfect indifference whether Baba Phurkey came to Bombay or not, and as to his being a British subject, the Honourable Court have disposed of that question as his Lordship in Council did by declaring he voluntarily entered his Highness's service, and thereby forfeited all claim to our protection.

20. As to the Resident's third para. Government were satisfied with my report, so I pass over the Colonel's animadversions; and also for the same reason the fourth para.; touching the fifth para. I should make the same remark as above, were it not that I deem it proper to observe, first, that Colonel Outram has here, as on a former occasion, fallen into the error of supposing I was acting for him, instead of being as much as he ever was or is now, the accredited agent of Government at the court of the Gaekwar; and secondly, to remind Government that I have "eagerly" set to at once and given to the extent of my memory all I could the very day after being allowed.

21. Regarding the sixth para. the words I gave from Mr. Secretary Willoughby's letter were considered by me as simply applicable to the case in point, they were quoted from the proceedings referring to another person.

22. Colonel Outram in the seventh and eighth paras. would seem to forget the circumstance that though in 1836, the Phurkey might be considered a British subject, he could not in 1849, after taking service in a foreign state, and continuing to reside there. I see not what the "Mooktyarnama" has to say to the case. I never before heard of it, and even if not a delusion, see no force in the point.

23. I am in no way concerned in the matter contained in the paras. 9 to 19 inclusive, and therefore pass them over.

24. In reply to para. 20, I must entirely exonerate the late native agent Nursoo Punt, and all of the establishment, from having poisoned my ear against the Phurkey as before stated. I would not trouble myself to bear the man enmity, for I had seen too many of his calling to really blame him; I treated the case as a simple international matter, involving no difficulty and question, and just as I had seen like cases considered when serving under the orders of the Governor-general of India, and the Government North-west Provinces. I have before stated the treatment of Baba Phurkey was not "instigated" by me, and required not my "sanction." "The Maratta Durbar" entered the house, seized the papers of, and confined the Phurkey of its own will and legitimate power, a proceeding to which the Government made no demur, and to "incur the chance of which the Honourable Court say the Phurkey rendered himself liable, by voluntarily entering the service of his Highness." There was no call or necessity for "sealing up the prisoner's papers." With little of the argument and reasoning used in the remaining portion of this para. do I agree, or feel in any way called on to enter; and as to the concluding lines of the note given in its (20th para.) margin, it speaks for itself. His Highness knew the man he had to deal with; he believed Colonel Outram to be his friend, the Phurkey knew the timid nature of the Gaekwar, and plied his threats accordingly; both knew I was within 10 days of leaving.

25. I see nothing in the remaining paras. of Colonel Outram's letter to notice. His arguments are based on supposed facts, and I am not disposed to be critical. He says no man is safe when a native durbar can do as that of Baroda did to the Phurkey; but who will say that any durbar is safe, or sure of a prolonged existence, while such a man as the Phurkey is acknowledged as our subject. Years and years back he was detected intriguing, and sheltered himself under a "Mooktyarnama." Why should the Gaekwar give him 200 rupees salary, and no office? He employs the head clerk in the residency in a way which cost him a month's salary, and now, according to his own statement to me, he stands charged with receiving a large bribe in the very agency in which he is said to have done such good service. Such men are a curse to any native State they reside (receiving the protection of the dominant power) in, as seen in the simple fact of about the second State in India giving him a salary to remain quiet. It will indeed be a day of peace and blessing to that unhappy durbar of Baroda, when Government will be pleased to rid it of all such curses as this under consideration. I know much of all the 21 States in Rajpootana, something of those in the North-West Provinces, more of those in Malwa, but never have I seen a principality in the miserable crippled state that that of his Highness the Gaekwar is in, and has been in for years back, with its "British subjects" and its "guarantees." The latter, the Nawab of Baroda once said, enabled Government to sit on the "chattee" of the Prince at any time, from which Government will see how our views are misunderstood, and as regards the "British subject," see this case.

26. Many assertions and arguments of the Resident's I passed over, either because they were irrelevant, based on wrong data, or because they referred not to the information required of me; but be there any omissions, or errors of moment, Colonel Outram may point out the former, and Lieutenant Battye be able to rectify the latter, by reminding me of forgotten facts.

27. Government will, I trust, lay before the Honourable Court a copy of this letter.

I have, &c.
(signed). *P. T. French,*
Late Officiating Resident at Baroda.

Bombay, 11 June 1851.

— No. 8. —

MINUTE by the Right Honourable the Governor, concurred in by the Honourable Mr. *Blane*. No. 5,065.

THIS letter furnishes no new information, the only part of it bearing on the explanation required at the close of the 10th para. of the Honourable Court's despatch (No. 3 of the 15th January 1851) being contained in the 6th, 8th, and 10th paras., in which the facts already communicated to Government in Captain French's letter, No. 69, dated 18 April 1850, are given more in detail.

2. As that letter was before the Honourable Court when theirs above cited was written, I conceive it was not considered necessary by that authority to interfere in Barba Phurkey's favour.

3. It will, I think, be sufficient to send a copy of the 6th and 8th paras. of Captain French's letter under review to Lieut.-colonel Outram.

4. As regards Baba Phurkey, I see no reason to change the opinions I have already expressed on his case in my several Minutes dated 4 December 1849, 4 January 1850, 27 April 1850, 18 August 1850, copies of which are hereto annexed, to which I beg to refer. Lieut.-colonel Outram may be instructed that we adhere to our resolution expressed in our letter, No. 4,489, dated 1 October 1850, and see no reason for interference on the part of Government between this individual and his Highness the Guicowar.

(signed) *Falkland.*
26 June 1851. *D. A. Blane.*

Enclosure to No. 8.

COPY of Minute by the Right Honourable the Governor, dated 4 December 1849.

As it seems that Venaik Moreshwur Phurke was in employ at Baroda, he must be considered amenable to the local authorities, and under the circumstances stated by the Resident, it does not appear that there is any necessity for Government to interfere to prevent the injustice.

MINUTE, dated 4 January 1850.

Although the Government will not interfere to prevent any one in the position of Venaik Moreshwur Phurke from receiving due punishment for any faults he may have committed in Baroda, still these petitions may be sent for the Acting Resident's information.

COPY of Minute, dated 27 April 1850.

It would perhaps have been as well had Captain French abstained from expressing any opinion to his Highness the Guicowar, in reference to the employment of the petitioner, but as we have already on a former occasion declined to interfere in his behalf, I think it would be inexpedient now to re-open the matter.

EXTRACT of a Minute, dated 18 August 1850.

I would inform Lieutenant-colonel Outram that our former decision in this case is to be deemed final, and that we see no reason whatever for the interference of our Resident between this individual (Phurke) and his Highness the Guicowar.

— No. 9. —

MINUTE by the Honourable Mr. *Bell*. No. 5,066.

OUR Honourable President and my colleague, Mr. Blane, having already decided that no interference was necessary, and as no new matter has been adduced in Captain French's present explanation to lead to a different impression, I do not see that we can do otherwise than to uphold that resolution.

27 June 1851. (signed) *A. Bell.*

— No. 10. —

No. 2,804 of 1851.—Political Department.

No. 5,067. From *A. Malet*, Esq., Chief Secretary to the Government of Bombay, to Lieutenant-Colonel *J. Outram*, C. B., Resident at Baroda.

Sir,

WITH reference to my letter No. 2,457, dated the 9th instant, relative to Venaik Moreshwur Phurkey, I am directed by the Right Honourable the Governor in Council to transmit to you an extract (paragraphs 6 and 8) from a communication from Captain French, late Acting Resident at Baroda, dated the 11th instant.

2. I am at the same time desired to inform you, that Government adheres to its resolution communicated to you in Mr. Secretary Lumsden's letter, No. 4,409, dated the 1st October last, and sees no reason for interference on its part between this individual and his Highness the Gaekwar.

I have, &c.
(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 28 June 1851.

(True extract.)

(signed) A. Malet, Chief Secretary.

8.

Collection No. 1 of No. 6, Bombay Political Department, Letter from, dated 17 January 1852.

Rewa Kanta, Bhaderwa,

Relative to Charges of Bribery preferred against Venayek Moreshwur Phurké.

TABLE OF CONTENTS.

No.	From.	To.	SUBJECT.	Date and Number of Document.	Date and Number of Consultation.	Page.
1.	Political Agent, Rewa Kanta.	Secretary to Government.	--Forwards for the instructions of Government Copies of Correspondence with the Resident at Baroda, regarding Charges of Bribery made against Venayek Moreshwar Phurké, late Dufterdar of the Rewa Kanta Office, by the Widow of the late Thakoor of Bhaderwa.	1850: Nov. 11 354.	1850: Dec. 13 10,300.	244
2.	Minute by the Right Honourable the Governor, concurred in by the Board - -			Nov. 25	Dec. 13 10,301.	246
3.	Chief Secretary	Assistant in Charge, Rewa Kanta.	--Conveys the sentiments of Government in reply to the Political Agent's Letter, dated the 11th November, No. 354 of 1850.	Dec. 9 6,466.	Dec. 13 10,302.	247
4.	Petition from Venayek Moreshwar Phurké; prays the interference of Government in certain Transactions between himself and the Widow of the Thakoor of Bhaderwa.			Nov. 29	1851: Jan. 22 174.	247
5.	Minute by the Honourable Board - - - - - - - - - - - -			Dec. 20.	22 Jan. 175.	255
6.	Chief Secretary	Political Agent, Rewa Kanta.	--Conveys the Instructions of Government regarding the above Petition.	1851: Jan. 9 97.	Jan. 22 176.	255
7.	Chief Secretary	Venayek Moreshwar Phurké.	--Refers him to the Political Agent in the Rewa Kanta.	Jan. 9 98.	Jan. 22 177.	255
8.	Substance of a Petition from Saheba, Widow of the Thakoor of Bhaderwa, prays the interference of Government in certain pecuniary transactions between herself and Venayek Moreshwar Phurké.			1850: Sept. 4	Jan. 22 259.	255
9.	Minute by the Honourable Board - - - - - - - - - - - -			1851: Jan. 7	Jan. 22 260.	256
10.	Chief Secretary	Political Agent, Rewa Kanta.	--Transmits Copy of the above Petition from the Widow of the Thakoor of Bhaderwa, with reference to a previous Communication.	Jan. 15 141.	Jan. 22 261.	256
11.	Political Agent, Rewa Kanta.	Chief Secretary -	--Reports for the information of Government that the Charges of Bribery preferred by Saheba, Widow of the Thakoor of Bhaderwa, against Venayek Moreshwar Phurké cannot be proved.	Nov. 13 342.	- - -	257
12.	Minute by the Right honourable the Governor - - - - - - - -			Dec. 9	- - -	313
13.	Minute by the Honourable Mr. Bell, concurred in by the Right Honourable the Governor and the Honourable Mr. Blane.			Dec. 11	- - -	313
14.	Chief Secretary	Political Agent, Rewa Kanta.	--Acknowledges receipt of his Letter, No. 342, dated the 13th November 1851, and conveys the sentiments of Government thereon.	1852: Jan. 5 27.	- - -	314
15.	Chief Secretary	Assistant Resident, Baroda, in charge.	--Transmits Copy of the Government Letter to the Political Agent, Rewa Kanta, No. 27, dated the 5th January 1852, and conveys the Instructions of Government on the subject embraced therein.	Jan. 5 27 A.	- - -	314
16.	Resolution; Transfer to the Judicial Department - - - - - - - -			Jan. 5 28.	- - -	314

Bombay Castle,
17 January 1852.

A. Malet,
Chief Secretary.

— No. 1. —

EXTRACT Bombay Political Consultation, 13 December 1850.

No. 10,300.

No. 354 of 1850.—Consultation, No. 89.

Political Department.

From Major *Lewis Brown*, Political Agent in the Rewa Kanta, to *H. E. Goldsmid*, Esq., Secretary to Government, Bombay.

Sir,

I HAVE the honour to forward copies of correspondence with the Resident at Baroda, regarding charges of bribery made against Baba Furdkey, late dufturdar of this office, by the widow of the late Jahmesing Thakor of Bhadurwa, and request instructions, what measures I should adopt towards that individual as he is not within my jurisdiction, having left for Bombay.

2. The widow has produced a chopree showing entries of 8,800 rupees having been paid to Baba Furdkey, and the writing and delivery are sworn to by three witnesses. If, therefore, the chopree is not a forged one, the proofs are very strong against him.

I have, &c.
(signed) *Lewis Brown*,
Political Agent.

Rewa Kanta Agency, Baroda,
11 November 1850.

No. 675 of 1850.

Political Department.

To Major *Lewis Brown*, Political Agent in the Rewa Kanta.

Sir,

WITH reference to our previous correspondence on the subject of the charges against Venaik Moreshwur Furdkey, and to the decision of Government under date the 1st October, that there is no reason for my interference between that individual and his Highness the Guicowar, which I made known to you, I have the honour to transmit, for your information, a letter in original, from that person, dated Bombay, 18th instant, explaining the reasons why he left Baroda, and stating that he is ready and anxious to answer any charges brought against him, and to return to Baroda, for that purpose, when "assured of a fair trial," by which I suppose he means protection against his enemies while undergoing trial.

2. Venaik Moreshwur Furdkey does not name his place of residence in Bombay, but doubtless it will be known to many in the Secretary's office where he is to be found.

I have, &c.
(signed) *J. Outram*, Resident.

Baroda Residency, 21 October 1850.

P. S.— Do me the favour to return the enclosure.

(signed) *J. Outram.*

(True copy.)
(signed) L. Brown, Political Agent.

Honoured Sir,

SIX days ago I left Baroda as your Honour has, I dare say, long ere this, heard. My leaving will doubtless be represented by my enemies as an absconding to escape justice, and a thousand fresh falsehoods be told of me. I was free to go where and when I liked without giving my reasons to any man, and it is to you only, at whose hands I have always received justice and honourable treatment, that I feel bound to explain why I left, especially without informing you of my intentions.

What I have suffered during the last two years you are well aware—insult, outrage, imprisonment and plunder; and all for no reason in the world than that, when called on by you as British Resident to report on certain cases, I did

so

so honestly, although I know well, and told you at the time, that my doing so would bring down on me the vengeance of an unscrupulous and all-powerful ministry.

I did expect redress at the hands of the British, but have been sorely disappointed.

I appealed to you on your return to Baroda, but you never once admitted me to your presence. I heard, however, that you have reported my case to the Government.

My enemies have been sending me constant messages, saying, "Who is Colonel Outram? What will he do for you? Nursoo Punt has sufficient influence to upset anything he proposes, ten times over, he would get them removed if he wished it. He imprisoned you before; when the Sirkar's tupka,* which we have told to be got, comes for you and Colonel Outram, we will put beeres on you and kill you."

* Government reproof.

The day before I left, a friend on whose words I could rely, came to me and told me that he had heard Wamunrow Sateh say, that the tupka had come, and that to-morrow, or next day, I should have the berees placed on my legs, and be sent to a hill fort, where they will show me tumasha.

I fled for my life, not from justice, for, if it is true that the English Government, by serving whom alone I made myself these enemies, have given me up, I had none to look for. I am ready and anxious to answer any charge whatever that may be brought against me, and suffer any punishment for crimes proved against me, and will return to Baroda for that purpose the moment the Government ensures me of a fair trial; otherwise, it is not by law or right that I should be judged, but by hatred and malice of my enemies, and the more clearly I could show that I had served the British Government faithfully and honestly, the more surely would the knife or rope of the assentenee be my lot.

Whatever may come to me, sir, I shall ever feel gratified to you for having endeavoured to obtain justice for me, when those who should have protected me were for giving me up unheard to enemies, thirsting for my blood.

I do not know whether the man who has made this translation has made it correctly, so I beg you to forgive all mistakes, and remain, honoured sir, with great respect, your most obedient humble servant,

(signed) *Venaik Moreshwur.*
Baba Furdkey.

Bombay, 18 October 1850.

(True copy.)

(signed) J. Outram.

(True copy.)

(signed) L. Brown, Political Agent.

No. 284 of 1850.

To Lieutenant-Colonel *James Outram*, C.B., Resident, Baroda.

Political Department.

Sir,

I HAVE the honour to forward you copy of a letter received from Lahiba, the widow of the late Thakor Jalumsingjee of Bhadurwa, requesting recovery of a sum of 8,800 rupees, which she says was taken from her by Venaikrow Moreshwur *alias* Baba Furdkey, late dufturdar of this office, as a bribe, to use his influence with the Political Agent, when the succession to the Bhadurwa Gader was in dispute between her and the present thakor, on account of her adopted son; and as Baba Furdkey is now, I believe, a subject of the Gaekwar State, I request you will bring the same to the notice of his Highness.

2. You will perceive the condition of the agreement between the complainant and Baba Furdkey was, that should she not succeed in her wishes, the money was to be returned. But as she acknowledges it was given as a bribe, I do not

see how she is entitled to any interference on the part of either you or myself; however, I pass on the letter to you for such attention as you may think it deserves.

I have, &c.
(signed) *L. Brown,*
Political Agent.

Rewa Kanta Agency, Baroda,
27 August 1850.

(True copy.)
(signed) L. Brown, Political Agent.

No. 524 of 1850.

Political Department.

To Major *L. Brown*, Political Agent, Rewa Kanta.

Sir,

I HAVE the honour to acknowledge the receipt of your letter of this date, forwarding a letter from Sahiba, the widow of the late thakore of Bhadurwa, requesting recovery of a sum of 8,800 rupees, which she says was taken from her by Venaik Moreshwur Furdkey, late dufturdar of your office, which you request me to bring to the notice of his Highness, as you believe him to be a subject of the Gaekwar State.

2. As the person against whom this claim is made denies being a Gaekwar subject, and claims to be a British subject, a point at present under reference to Government, I cannot until that question is decided have any communication with the durbar on this subject; but I beg to observe that as the offence said to have been committed by Baba Moreshwur Furdkey must, if really perpetrated, have occurred while he was a servant of the British Government under your agency, I should suppose your Court is fully competent to try the case, and it is not likely the defendant would attempt to evade the trial on pretext of not being amenable to your jurisdiction.

I have, &c.
(signed) *J. Outram,* Resident.

Baroda Residency, 27 August 1850.

(True copy.)
(signed) L. Brown, Political Agent.

— No. 2. —

No. 10,301.

MINUTE by the Right Honourable the Governor, subscribed to by the Board.

I AM of opinion that if Major Brown considers the proof against Venaik Moreshwur Furdkey to be so strong as to warrant his placing him on his trial for bribery, he should be authorized to extend to him protection during the trial, and to allow him, if acquitted, to leave the Gaekwar districts after its close, for I observe that Venaek Moreshwur states his willingness to return and meet his accusers.

Major Brown should however first take every means in his power to examine and test the evidence to be brought forward, and if he is in any doubt, should report to Government before taking any further steps.

(signed) *Falkland.*
W. Cotton.
J. P. Willoughby.
D. A. Blane.

25 November 1850.

— No. 3. —

No. 6,466 of 1850.

From *A. Malet*, Esq., Chief Secretary to Government, Bombay, to Lieutenant *Battye*, Assistant-in-Charge, Rewa Kanta. No. 10,302. Political Department.

Sir,

I AM directed to acknowledge the receipt of Major Brown's letter, No. 354, dated the 11th ultimo, with enclosures.

2. As Venaik Moreshwur Furdkey states his willingness to return and meet his accusers, I am instructed to authorize you, if you consider the proofs against him to be so strong as to warrant his being placed on his trial for bribery, to extend your protection to him during the trial, and to allow him if acquitted to leave the Gaekwar districts after its close.

3. You should however first take every means in your power to examine and test the evidence to be brought forward, and if you are in any doubt, should report to Government before taking any further steps.

I have, &c.
(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 9 December 1850.

— No. 4. —

EXTRACT Bombay Political Consultation, 22 January 1851. No. 174.

The MEMORIAL from Wenayek Moreshwur Fudkeh, lately an Inhabitant of Baroda, and now residing at Bombay, to the Right Honourable Lord Viscount Falkland, President and Governor in Council, &c., &c., &c.

Sheweth,

THAT Saheb Koowur Baee, the widow of the late thakoor Jalum Sing, of Bhadurwa, having been instigated by certain parties who bear enmity to your memorialist, addressed a representation dated the 22d of August last, to Major Brown the Political Agent in Rewa Kaunta, soliciting his assistance to obtain the restitution from your memorialist of a sum of 8,800 rupees, which she states he received from her under the following circumstances.

1. Saheb Koowur has represented that her husband, the late thakoor Jalum Sing having died about 11 years ago, and his son Kurun Sing having survived him for four months only, she was desirous of adopting a son ; but as it was necessary to obtain the sanction of the Political Agent to enable her to do so, she was induced to agree to the payment of a consideration, amounting to 12,000 rupees to his dufturdar, your memorialist, who she says undertook to persuade the Political Agent to accede to her request. She has further stated, that she actually paid your memorialist four several sums, amounting in all to 8,800 rupees, but that the remainder of the money not having been paid, your memorialist gave up the advocacy of her claims, and having received a sum of 7,525 rupees from Narun Sirdar Sungjee, the present thakoor promoted his accession to the gadee or thakoorship of Bhadurwa. These are the principal points of accusation which the said Saheb Koowur has brought against your memorialist, and which will be found set forth with other particulars in the accompanying translation of her representation.

2. Immediately on having received intelligence of the above charges having been made against him, your memorialist being anxious to repel them, and to prove that they were unfounded, addressed a letter on the 23d September last to the Political Agent, requesting that if the matter appeared to him to merit a formal investigation, a copy of the petition of the Saheb Koowur might be furnished to your memorialist with his instructions. On the 25th of the same month, your memorialist was accordingly favoured with a communication from the Political Agent, accompanied by a copy of the above-mentioned petition.

3. Your memorialist lost no time in framing an answer to the allegations contained therein, and on the 7th ultimo he transmitted it to the Political Agent.

Your memorialist takes the liberty of appending to this memorial a translation of that answer, in order that your Lordship in Council may perceive that your memorialist has not omitted to furnish all the explanation it was in his power to offer, pending a regular investigation, which your memorialist is anxious should take place; and your memorialist begs to say that he is most willing to produce before the authority to whom that investigation may be intrusted, all the evidence of which he is in possession to disprove the groundless and vexatious charges which have been got up against him.

4. Your memorialist, however, trusts he will be excused from adverting in this memorial to a few of the circumstances which he has already in his answer above alluded to, brought to the notice of the Political Agent, as tending to show on what improbable and incompatible grounds Saheb Koowur has based the story which she has chosen to fabricate concerning him. In the first place, therefore, your memorialist must draw the attention of your Lordship in Council to the fact that no less an interval than that of 10 years has elapsed between the time when your memorialist is said by Saheb Koowur to have become guilty of the acts of corruption and perfidy which she attributes to him, and the date of her petition to the address of the Political Agent. It is only under very peculiar circumstances that parties who suffer wrong remain for any lengthened period without attempting to seek redress; but in this case, there appears to have been nothing to prevent your memorialist's accuser from at once denouncing him to the authorities, as, according to her statement, not alone a corrupt but a perfidious man. Why she should have silently brooded for so long a period as 10 years over the grievances which she says she suffered at the hands of your memorialist, when she had written evidence of his guilt to produce, is a question which she, herself, can best answer. Your memorialist must remark that it is contrary to all experience for those who suffer injury from the acts of others to refrain for a series of years from making their complaints known to tribunals to which there is nothing to debar them from obtaining access. The same privilege which every common ryot in the country possesses, that of having a petition prepared and sent to the authorities whenever he considers himself aggrieved by the act of any public functionary, is also enjoyed by the Saheb Koowur, and, indeed, in a much greater degree. Being a personage whose rank and station entitle her to consideration, she can at all times, through means of her wukeela, or personally if she chooses, make any representation she may have to make to the British authorities. At the time which she alleges that your memorialist misbehaved in the way she has described, the office of Political Agent in Rewa Kaunta was held by Mr. Remington, who never reposed anything approaching to unbounded confidence in his native subordinates, and was at all times prepared to listen to, and investigate any complaints made against them. How then, your memorialist would ask, will Saheb Koowur account for not having accused your memorialist when such facilities existed for inquiring into his conduct, instead of allowing so large a space of time as 10 years to elapse before doing so? Your memorialist humbly conceives that the meanest subject of your Government, if charged before any of the magisterial authorities of Bombay with having committed a criminal offence at a period so far back, would not be brought to trial, unless, indeed, some very cogent and satisfactory reasons could be adduced by the prosecutor to account for the delay in seeking justice. On this point your memorialist will not, therefore, trouble your Lordship in Council with any further observations.

5. The other principal facts to which your memorialist in rebutting the accusations of the Koowur Saheb begs to draw the attention of your Lordship in Council are as follows: At the time to which she refers, her mother-in-law, who is now dead, conducted with full powers the management of the affairs of the surwusthan, and of course interested herself in the matter of the adoption mentioned by Saheb Koowur, and corresponded on the subject with the Government authorities; yet no complaint was ever made by that lady against your memorialist. Moreover, during the time that Mr. Remington was Political Agent in Rewa Kaunta, your memorialist, although employed in the same department under him, had very little personal communication and no influence whatever with that gentleman. There were two other native officers who were always in the habit of attending him personally to assist him in the despatch

of

of public business, while your memorialist's duties required his constant presence in the office. It is not, therefore, likely that the negotiation which Saheb Koowur has stated to have taken place, supposing this to be the fact, would have been opened with your memorialist in preference to the other native officers, for it was well known that he could have no means of forwarding her views.

6. As to the accession of Sirdar Sing to the surwusthan of Bhadurwa, your memorialist lent no aid in any way to bring about that event. Mr. Remington having proceeded to Bhadurwa, conducted in person the investigation as to the right which Saheb Koowur and Sirdar Sing respectively asserted to the gader; and that gentleman transmitted his report on the subject, through the office of the Resident at Baroda, by whom a correspondence was carried on with the Bombay government, and the surwusthan was eventually delivered over to Sirdar Sing some time subsequently; indeed, Khooshall Vyde, the servant of Saheb Koowur, by his evil counsel, persuaded her and her mother-in-law Tukut Ranee, to charge the native officers of the residency at Baroda, &c., with corrupt practices. The inquiry into this complaint was also conducted by Mr. Remington personally, and it resulted in the acquittal of the accused persons; the Bombay government having then communicated its displeasure at the conduct of Tukut Ranee, in this transaction, she was ordered to quit the town of Bhadurwa and reside elsewhere.

7. Great stress is laid by Saheb Koowur on the fact of there being entries in her household account books, of the sums which she alleges were paid to your memorialist, but no dependence can be placed on such evidence, as Saheb Koowur's account books are not kept regularly like those of a merchant or banker; in fact, on a former occasion, in the time of Mr. Mansfield, her servant, Koosal Vyd, found but little difficulty in fabricating similar books to suit his purpose, and the fraud was discovered in the course of the investigation into the matter in which they were produced as evidence. Lastly, as to your memorialist having, as Saheb Koowur alleges, received from Sirdar Sing a sum of money and a share of the village of Bhylee, your memorialist will not trespass upon your Lordship in Council's time and attention, by entering into any long statement to rebut that part of the string of false accusations which she has brought against him, and will only observe that it is utterly false and inconsistent; but should an investigation be ordered, as your Memorialist hopes will be the case, he will be happy to adduce satisfactory evidence to show that no such transactions in which your memorialist was concerned ever took place. As regards the above-named village, your memorialist begs to state that it is held as a mortgage by a third party, and that no portion of its revenues could have been alienated for the purpose of being bestowed on him.

8. Having thus noticed as briefly as he could, the main points of accusation contained in the petition of Saheb Koowur against your memorialist, he begs again to assure your Lordship in Council, that he is desirous of submitting his conduct to the ordeal of a fair inquiry, since your memorialist can produce evidence which if impartially received will be sufficient to refute the several false allegations made by the Koowur Saheb.

9. Your memorialist not having heard from the Political Agent since sending to him the answer setting forth the different facts and arguments of which a summary detail is given in the above paragraphs, your memorialist feels very apprehensive that owing to the machinations of his enemies at Baroda, the authorities there may be induced to adopt measures which may be prejudicial and injurious to your memorialist's character.

10. Your Lordship in Council is already aware of the tyrannical proceedings adopted towards your memorialist by the Guickwar's government; of his having been persecuted by a party consisting of the native agent at the residency and certain officers of the Guickwar; of his house having been surrounded by armed men and entered by them; of all his private papers having been seized and needlessly subjected to the most rigid scrutiny, and of his having been deprived of his personal liberty for a considerable period, and subjected to contempt and derision. Your Lordship in Council has also heard that for this harsh and tyrannical usage which your memorialist has experienced, no just cause has as yet been shown by the Guickwar government; and that in fact nothing but

mere untangible suspicions, or the influence of malicious insinuations, and groundless accusations, have led to your memorialist having been thus victimised.

11. Having in vain appealed to your Lordship in Council to protect him as a subject of the Honourable Company's Government from such unjust and oppressive treatment, your memorialist, in order to avoid falling into the hands of his enemies again, has done what any man in his situation would have done. Your memorialist has quitted the Guickwar territories, and placed himself under the protection of your Lordship in Council's government at Bombay, where he is confident the strong arm of British justice can at all times effectually prevent him from suffering any more oppression from the Guickwar government; but your memorialist begs to assure your Lordship in Council, that although he has taken this step, he has not done so with the view of escaping from the responsibilities which he may have incurred by any act of his, while in the service of the British government or the Guickwar State. Your memorialist placed himself beyond the jurisdiction of his Highness the Guickwar, with the sole view of securing his person from outrage and insult; he has not done so to avoid any investigation which may be entered upon, of any complaints or charges which may be framed against him. In consequence of the British government having declined to extend its protection towards him, your memorialist has no intention at present of venturing to Baroda, although his absence from that place is attended with the greatest pecuniary loss and inconvenience to your memorialist; by returning to Baroda your memorialist would only place himself in the power of his enemies, who, now that they have learned the decision of your Lordship in Council in regard to your memorialist, would not scruple to resort to the most summary expedients to ruin him. Yet your memorialist is ready and willing to furnish every explanation as to any part of his conduct when required by the authorities at Baroda to do so, and through means of his wakeel at that place to lay before them any documentary or other evidence which may be necessary to exculpate your memorialist's character from the foul aspersions with which it has been assailed.

12. This being the spirit which has actuated your memorialist to address this memorial to your Lordship in Council, he humbly entreats that instructions may be sent to the Political Agent in Rewa Kaunta, or to such other British officer as your Honourable Board may appoint, to institute a full and searching investigation into the several charges set up against your memorialist by the Koowur Saheb, the widow of the late thakoor of Bhadurwa. Every one of those charges being utterly false and inapplicable to your memorialist, he is assured that if inquired into with impartiality and justice, he will be able to refute, and for that purpose he will instruct his wakeel to attend the authority intrusted with the inquiry, and furnish every information which may be required of him as to your memorialist's conduct while employed in the office of the Political Agent in Rewa Kaunta. Your memorialist, therefore, sanguinely hopes, that your Lordship in Council, duly considering all that he has represented, may accede to the prayer of this memorial.

And your memorialist, as in duty bound, shall ever pray.

Bombay, 29 November 1850.

TRANSLATION of a Petition from Venayek Moreshwer Fudkey to the Address of Major Brown, Political Agent in Rewa Kanta, dated the 7th October 1850.

YOUR Honour's letter, No. 1,730, dated the 25th September last, has arrived. The purport thereof is, that Saheb Ba, the widow of the late Thakoor Jalumsing, sent a petition on the 24th of August 1850, stating that there was a dispute relating to the heirship of the suwusthan of Bhadurwa, and that in that business the late dufterdar of the Rewa Kanta Agency, Venayek Moreshwur, received from her a sum of 8,800 rupees, which she begs may be returned, &c., with a copy of the petition to this effect your letter arrived. In answer to it, I write the following paragraphs.

1. Saheb Ba states in her petition, that on the decease of her son, she, according to the custom of her principality, brought Bapoo Sing, a boy, from amongst her

her nearest relations, and adopted him and established him on the gadee, and in order to obtain the sanction of the Government, wrote a letter to the (political) authority; that at that time Venayek Moreshwur was the dufterdar, and that he said to her as follows: "If you will give me 12,000 rupees, I will explain matters to the Saheb and will get that adoption sanctioned, &c." This is what she writes. These statements are quite false and are unfounded accusations, got up in accordance with the evil advice of some persons. This is evident, for the mother-in-law of this petitioner had the sole authority to carry on all business. She carried on, with the Government authorities, the business regarding this adoption. She died a short time ago. She did not at any time complain against me. If the petitioner's statements were correct, how would she have remained quiet without preferring a complaint? Nearly 10 years have elapsed since the dispute in regard to the heirship of this suwusthan commenced and has been going on. Since that time I have been at Baroda. Intermediately, about three years ago, I went to Bombay, Poona, Nassick, &c. for about 12 or 13 months. On many occasions, I put up at the house of the petitioner at Bhadurwa on my way to and from Dakoor. This Baee has also on many occasions visited Baroda, and there have been many changes of European gentlemen at Rewa Kanta; I did not prohibit her from making complaints to them, and there is no Government order prohibiting complaints being made. This being the case, why did she not, up to this time, make a complaint? If what she states is true, how would she have remained up to this time without making a complaint? Your Honour should, therefore, in regard to this, carefully consider this matter, when it will appear that this petition is entirely unfounded.

2. Mr. Remington was the (political) authority when the dispute as to the heirship was going on. It is well known to the world as well as to the Bombay Government, how favourably disposed that gentleman was towards me; I need not, therefore, write particularly as to that. The individual who is in the habit of visiting the hoozoor to carry on business, is the party to whom a person states his case in order to have it forwarded. That was not my province at all. Annundrao and Wamun Rao used to transact business with that gentleman. During four months at a time I had not an opportunity of even paying my respects to the gentleman; I sitting in the office used to prepare all the documents according to the minutes (recorded) on petitions, &c., and brought by the (other) functionaries. I had no other authority whatever; this fact is well known. What then had I in my power in regard to obtaining the sanction to the adoption? As to this point, your Honour should kindly consider Mr. Remington used personally make inquiries. He used to visit the houses of merchants and others, and ask them whether his (native) officers who purchased goods from them, paid them the value thereof properly or not. This is the care which he used to take. What difficulty then had the petitioner who now prefers her complaint to prefer it at that time? On considering these circumstances, the artful falsity of the petitioner will clearly appear.

3. The matter having occurred many years ago, I have not a sufficient recollection of it, but from what I can remember, I beg to state that the petitioner's mother-in-law, Indur Koovur, *alias* Tukut Ranee, did probably write a letter to Mr. Remington, regarding the adoption and other matters. That officer, thereupon, wrote a reply in the year 1840 to Kunija Bhawabhaee and Kallidass, stating that while the subject of adoption was in dispute, Tuckut Ranee Baee had written a letter, but that in future, until the said dispute should be decided, if a letter should arrive from the Baee, a fine would be levied. This is what I remember, and the management of the affairs of the suwusthan was caused by the Saheb to be carried on by the above-named functionaries. Such was the mode in which the Saheb publicly caused the business to be carried on; your Honour should, therefore, be pleased to consider on what grounds the petitioner has stated that I asked for money, in order to have the adoption confirmed, and what was the occasion for giving money.

4. Some time after having delivered over the suwusthan to the (native) functionaries, the Saheb went to Bhaderwa, in order to make an inquiry relative to the heirship; he assembled a punchayut and made inquiries relative to Jalum Sing's second wife, named Sujanbaee, having fraudulently set up a boy (to pass

for her son); and in regard to Sirdar Sing, respecting that matter, he made a report to the Resident, who probably submitted the same to Government. On the receipt of instructions from Government, to enter upon an investigation, that gentleman having made inquiries, wrote to Government, and instructions having been received from Government on the subject, he wrote to Mr. Remington to deliver over the suwusthan to Sirdar Sing. Thereupon that gentleman made over the suwusthan. Some time subsequently the said Khooshall Vyd gave evil advice to both Saheb Koovur and Indur Koovur, and having sent a man to Bombay, made a petition containing false charges against the (native) officers of the residency, and the other office, and an order of Government was brought, directing the matter to be investigated. Then the Saheb (Mr. Remington) without letting any one know, proceeded at once to Bhaderwa, and placed an attachment upon the houses of those parties that Khooshall Vyd, Kallidass and Davidass, &c., had requested to be attached, and having seized the papers and documents (in them) examined them. No evidence was discovered in them. Then the above-named gentleman (Mr. Remington) about the month of December, of the year 1843, made a report to the Resident. That report must have been forwarded by the Resident to the Government in the same month. In regard to that, instructions having been received from the Government in the month of February, Mr. Remington wrote to the Tukut Ranee, stating as follows: "Your wakeel made a complaint of bribery to the Bombay Government against the Government karkoons. In regard to that, an inquiry having been made, a communication was made to the Government, and a letter has been received to the effect, "that you are a slanderous person, and you should not therefore be kept at Bhadurwa." This matter became known to me on its being mentioned to me by the Bhaee, and the papers and documents relative to this are probably among the public records. On referring to them, your Honour will be satisfied that these are slanderous people, and have got up a false accusation against me.

5. The petitioner states in her petition, that her household karkoon, Khooshall Bhaee, having been satisfied, four sums, amounting to 8,800 rupees were paid, and that those sums are entered in her household account books in my name. But on this point, I beg your Honour will maturely consider the circumstances of that same Khooshall Vyd having during the administration of Mr. Mansfield, produced similar false account books, containing entries in the name of the karkoons; those account books were proved to be false at the time of the investigation. He may therefore, in the same way, have now fabricated similar false account-books on this occasion. You are well aware of the false complaint regarding the ornaments in the case of Purbhoo Sukheedas. This false complaint had been raised by the Baee at the instigation of that Khooshall Vyd. I shall therefore make known to your Honour the reasons for this at the time of the investigation.

6. Two charges are preferred by the said Saheb Koovur, viz., bribery and advancing money on loan. All that is false. But your Honour should be pleased to apply to her for the proofs of either of the above two charges, and having received the same, should make an inquiry and kindly furnish me with copies of that (evidence). I shall then represent to you further proofs of the fallacy of the statements of the said Baee and Khooshall Vyd.

7. The petitioner writes about Surdar Sing. On this point I beg to refer you to what I have written in the 4th para. (of this statement). From that you will be informed. She writes, that Surdar Sing gave a decided reply regarding the share in the village of Bhylee, but when the Sirkar will inquire as to the correctness or incorrectness of that answer of Sirdar Sing, the mortgagee will produce evidence. In regard to the fraudulent behaviour of the great and respectable officers of the Sirkar, should your Honour, for the sake of God, be inclined to institute an inquiry, I beg to refer you to the petition which Sirdar Sing made on Kartuk Sood 3d, of Sumwut 1905, to the Rewa Kanta agency, stating that he had sustained a loss of thousands of rupees in consequence of the sequestration by Government. On getting that petition from the office, and having it translated into English, and reading it, you will be convinced as to the uprightness of the native officers, and you will find how much loss people have sustained, and are sustaining, from the injustice of the native officers, and

I will

I will produce such documents as I have in my possession, belonging to the said Khooshall Vyd.

8. From the above seven paragraphs it will be manifest to you that the petitioner has got up a false accusation against me. This is my representation. The lunar date, Ashvin Sood 2d, Sumwut 1906 (the 7th October 1850).

To Major *Brown*, Political Agent, Baroda.

Sir,

Referring to the ficititious charge preferred against me by Saheb Koovur of Bhaderwa, after a period of upwards of nine years, and my reply to the same, I have the honour to request, that should further information be required on the subject, you will have the goodness to furnish my karkoon at Baroda with a memorandum of the points on which such information is required, transmitting at the same time copy of what may further be advanced against me, and I shall readily afford the required explanation. I am obliged to suggest this course, because I was, much against my wish and inclination, induced to leave Baroda, a measure to which, seeing the doors of justice closed to me, I was reluctantly forced to resort.

I have given every useful assistance to the British Residents at Baroda, and have brought abuses to light, by which I have incurred the displeasure and malice of the influential officers of the Guicowar's Court, who having at one time exercised all kinds of atrocity and tyranny towards me, have again, on being informed that Government was no longer inclined to afford me redress, have anticipated further plots on me, information of which having been received, I for safety's sake, was induced to seek refuge in a place where justice is not distant.

I am confident that you will do me justice, and therefore it is needless for me to put you on your guard against the machinations of my powerful enemies, who I am told are working very vigilantly; I must therefore conclude by informing you, that your native agent is one of Nurso Punt's creatures, who for fear of my succeeding him in office, and exposing all his malpractices and irregularities, worked very keenly with his influence on the Guicowar's ministers, and secured his object by ruining me.

I remain, &c.

(signed) *Venaik Moreshwer Baba Fudkey.*

Bombay, 26 October 1850.

Translation.

To the Representative of the Honourable English Company's Government, the honoured Major Lewis Brown, the Valiant Esquire, Political Agent in the District of Rewa Kaunta.

It is represented by the Baee Saheb Koowur, the chief princess consort of the late Thakoor Jalum Sing of the suwusthan of Bhaderwa, as follows: owing to my lack of good fortune, my Lord, the illustrious Maharana Jalum Sing, who was the holder of the suwusthan of Bhaderwa, departed this life on the 9th day of Chytur Sood of Sumwut 1896 (10 April 1840); my son, named Kurnu Singjee, also died four months subsequently. According to the custom of our principality, I having afterwards brought Bappoo Sing from amongst my nearest relations, adopted him as my son, and established him on the gadee, and in order to obtain the confirmation of the Government, I addressed a letter to the gentleman then in office. At that time Wenayek Row Moreshwur, *alias* Baba Fudkya, was the dufterdar. He said to me, "If you will give me 12,000 rupees, I will explain the matter to the gentleman, and will have your adopted son confirmed." At that time, I being a female and not acquained with the rules of the British Government, and knowing the custom of the former regime, according to which no business could be transacted without something being given to the person having the management of affairs, I agreed to pay 12,000 rupees; but not having perfect confidence in what this man said, I said, "Should I indeed pay the money and my business not be done, then what am I to do?

Therefore you should draw out and give me some sort of written instrument to this effect. If the business should be done I will receive (keep) the money; but if it should not, then I will pay it back." Then Wenayek Row answered, "An employer of the British Government cannot indeed write and give such instrument, nor is it customary to write (such instruments); I am not going to receive this money from you as a bribe, I am going to receive it as a loan. If your business should be effected, you will have no claim to the money, and if it should not be effected, I will repay it with interest." Having spoken thus, and satisfied my household karkoon, Wyd Khoosal Bhaee and others, he received from them four sums amounting to 8,800 rupees, which I caused him to receive. Those sums are placed to debit in my household account book. The other portion of the money I could not pay in time. Then he (Fudkya) had an interview with my opponent Narum Sirdar Sungjee, of Wakaner, who now occupies the gadee of Bhaderwa, and who can have no claim whatever to my principality, and he said to him, "If you will make a petition to the Government, I will have you established in the suwusthan of Bhaderwa, but you must arrange for me." Sirdar Sungjee then agreed. On that occasion he paid about 7,525 rupees in ready money, and he (Fudkya) settled that if he (Sirdar Sungjee) obtained the gadee he should give him (Fudkya) one of his villages in Inam. At that time, O protector of the weak! an inquiry as to my claims was prevented from being made, owing to the above cause, consequently instead of my obtaining my right, Sirdar Sungjee succeeded to the gadee. Then Sirdar Sungjee, agreeably to the agreement, gave a share producing about 900 rupees of the village of Bhylee; but at that time this Wenayek Row was in the service of the Government; therefore the deed for the Inam could not be drawn out (in his name). He consequently had drawn out and received from Sirdar Sung a bond for about 7,551 rupees, in the name of his son Lukhmun Wenayek. On account of the same and for the interest, he received a mortgage of the above-mentioned share (of the village), and he carried on the management thereof up to Sumwut 1902 (A. D. 1845–46). At the time the Government requested the suwusthan the said share (of the village) was snatched away from him. Then this Wenayek Row brought a claim against Sirdar Sung, by virtue of the bond. The answer given to that by Sirdar Sung is among the Government records; in that, Sirdar Sung clearly shows that he borrowed nothing from him on the security of Bhylee. If in regard to this the Government will make a particular inquiry, and if the account books of Purukh Nurbheram Gunesh be sent for and examined, then it will be evident that this bond relating to the village of Bhylee is a false one, and that it was executed without any payment having been made, O protector of the weak! In consequence of this, Wenayek Row having acted thus deceitfully, I did not obtain my just right. I then sent Wyd Khooshal Bhaee to demand the payment with interest of 8,800 rupees paid to him. He said "on that occasion that he would pay"; but although I have been demanding payment up to this day, he promises to pay, but does not pay the money. I am therefore hopeful that this Wenayek Row may be sent for before the public authorities, and that my money with the interest may be caused to be paid. And should the Government kindly cause this money to be paid, it will be useful to me for the expenses of the marriage of my daughter that is to take place during the present year. It will not then be necessary for the Government to make any payment out of the income of the sequestered property. This is the representation Srawun Sood, 15th of Sumwut 1906, the day of the week being Thursday (22d August 1850).

Baee Saheb Koowur Baee, the Chief Princess,
Consort of the late Thakoor Jalum Sungjee.

What is written above is correct.

The mark —

The English signature of Brown Saheb.

Copy agreeing with the original, Oomeeya
Sunkur Hurrey Sunkur, Karkoon.

— No. 5. —

MINUTE by the Right Honourable the Governor concurred in by the Board. No. 175.

PETITIONER may be referred to the Political Agent, Rewa Kanta, to whom instructions will be issued, consequent on his letter of the 11th ultimo, No. 89; a copy of this petition without the enclosure may also be sent to that officer.

(signed) *Falkland.*
W. Cotton.
J. P. Willoughby.
D. A. Blane.

20 December 1850.

— No. 6. —

No. 97 of 1851.—Political Department. No. 176.

From *A. Malet*, Esquire, Chief Secretary to Government, Bombay, to Major *L. Brown*, Political Agent, Rewa Kanta.

Sir,

WITH reference to my letter dated the 9th ultimo, No. 6,466, I am directed by the Right Honourable the Governor in Council to transmit to you copy of a petition from Venayek Moreshwur Phurke, dated the 29th November last, and to inform you that the petitioner has been referred to you for a reply thereto.

I have, &c.
(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 9 January 1851.

— No. 7. —

No. 98 of 1851. No. 177.

From *A. Malet*, Esquire, Chief Secretary to Government, Bombay, to *Venayek Moreshwur Phurke.*

IN reply to your petition dated the 29th November last, I am directed to refer you to the Political Agent in the Rewa Kanta, to whom the instructions of Government in your case have been communicated.

By order, &c.
(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 9 January 1851.

— No. 8. —

EXTRACT Bombay Political Consultation, dated 19 January 1851. No. 259.

No. 719 of 1850.

Persian Department, 26 December 1850.

SUBSTANCE of a Petition from Baee Shee Saheb Ba Patum, Ranee of the late Thakoor Jahun Singjee of Sunsthan Bhadurwa, to the Right Honourable the Governor in Council, dated 13th Shranun Vud, Sumwut 1906 (4th September), and received 16th September 1850.

AFTER the death of my husband on the 9th Chytru Sood, Sumwut 1896 (22d March 1850), my son Kursunsingjee ascended the gadee, but he also died after four months; I therefore adopted my nearest relation Bappoo Sungjee, according to the practice of the sunsthan, and wrote to the authorities to have the adoption recognized. On this, Venayek Moreshwur, *alias* Baba Furkay, who was the dufturdar of the Rewa Kanta Agency, came to me and said that if I paid 12,000 rupees, he would get the Saheb to recognize the adoption. Being a woman and unacquainted with the rules of the British Government, I agreed to pay the sum of 12,000 rupees, but as I could not depend upon his word, I asked him to pass me a writing to the effect that if the business should not be

done, he would return me the money. In reply, he said an officer of the British Government could not pass such a writing; that I should entertain no suspicion; that he would take the money as a loan, and if the business should not be done, he would refund it with interest. As he thus assured me, and my private kamdar, Vyde Khooshalbhaee Keerpashunker, and others, I paid him 8,800 rupees by four instalments. My private account books furnish evidence on the subject. As I could not pay the remaining money in time, Baba Furkay joined Sirdar Sing Rama, of Wakaneer, who had no claim whatever to the Bhadurwa sunsthan, and having taken from him 7,525 rupees, arranged with him for the grant of an Inam village after the successful issue of the case. Baba Furkay then misrepresented matters, and prevented me from obtaining due redress. When Sirdarsing got the Bhadurwa sunsthan, he granted to Baba, in Inam, the village of Bhuyulee, yielding a revenue of 900 rupees per annum. Being dissatisfied with these proceedings, I appealed to Government, and an inquiry was thereupon set on foot. The investigation was carried on for a few days, but was afterwards stopped. I am confident of obtaining ultimately due redress from the just Government of the British. When I demanded repayment of my money according to his agreement, Baba put me off by promises, but did not pay it; I therefore submitted a petition to the Political Agent in the Rewa Kanta (copy of which is herewith sent), but he instituted no inquiry. I am surprised at this. On the mere receipt of such information, immediate inquiries are always instituted by Government, but nothing appears to have been done on the petition which I openly submitted. When my kamdar, Khooshalbhaee Keerpashunker Vyde applied to the Political Agent for an early inquiry into the matter, he intimated that a copy of the petition had been sent to the Resident at Baroda; that there was a question whether Baba Furkay was to be regarded a subject of the Company's or Gaekwar's Government; that no reply could therefore be given to me, and that it was difficult to get back the money paid as bribe. According to the agreement, I am fully entitled to the refund of the money. Even in the absence of such an agreement, Government ought to interfere and to cause the money to be refunded. My claim is supported by clause 5, section 11, Regulation XVI. of 1827. In the Gaekwar's territories also, it is usual to cause the amounts of bribes to be refunded; I therefore request Government to make Baba Furkay pay my money with interest, according to his agreement.

(signed) *C. J. Erskine,*
Deputy Secretary to Government.

— No. 9.—

No. 260. MINUTE by the Right Honourable the Governor, concurred in by the Board.

A COPY of this representation may be sent to the Political Agent in the Rewa Kanta, with reference to the Government letter to his address of the 9th instant, No. 6,466.

(signed) *Falkland.*
J. Grey.
J. P. Willoughby.
D. A. Blane.

7 January 1851.

— No. 10.—

No. 141 of 1851.—Political Department.

No 261. From *A. Malet,* Esquire, Chief Secretary to Government, Bombay, to Major *L. Brown,* Political Agent in the Rewa Canta.

Sir,

WITH reference to my letter, No. 6,466, dated the 9th ultimo, I am directed by the Right Honourable the Governor in Council to transmit to you the accompanying

panying copy of a translation of a petition from Baee Shree Saheb, dated the 4th September last.

I have, &c.
(signed) *A. Malet,*
Chief Secretary.

Bombay Castle, 15 January 1851.

— No. 11. —

No. 342 of 1851.

From Captain *George Fulljames*, Political Agent in the Rewa Canta, to *Arthur Malet*, Esquire, Chief Secretary to Government, Bombay. Political Department.

Sir,

With reference to your letter No. 6,466, dated 9th December 1850, to the address of Lieutenant Battye, Assistant in charge of the Rewa Canta, I have the honour to report that previous to my assuming charge of this agency, my predecessor had nearly taken all the evidence in support of the charges of bribery brought forward by Sahiba, the surviving widow of the late Thakor Jallimsingjee of Bhadurwa against Venayek Moreshwur, *alias* Baba Furkey.

2. Since my arrival I have gone through the whole of the papers, and taken such additional evidence as Khooshal Vyed on the part of complainant could produce, and on his admitting that nothing further was forthcoming, have closed the investigation.

3. Venayek Moreshwur Furkey has not been placed on his trial for bribery, though distinct charges have been made against him by Sahiba, which she has been allowed to endeavour to prove by documentary and oral evidence, and the defendant appears willingly to have met, and done his best to refute the same.

4. It appears that Venayek Moreshwur (*alias* Baba Furkey), is charged by Sahiba with having agreed with her for the sum of 12,000 rupees, to get the Saheb (Political Agent) to recognise her adoption of her relation Bappoorsingjee to the smonathan or estate of Bhadurwa, vacant by the deaths of her husband Jallimsingjee and an adopted son Kurrunsingjee, and that these events occurred in Sumt. 1896 (A.D. 1840/41).

5. Also, that as the Sahiba could only pay 8,800 rupees instead of 12,000 rupees, Venayek Moreshwur left her party and joined that of Sirdarsing, the present thakor, and that in consequence of a bribe from the thakor of Rs. 7,025. 8. in cash, and giving the Bhaeelee Wunta in mortgage for a fictitious loan of 7,500 rupees, Venayek Moreshwur obtained the Bhadurwa estate for Sirdarsing in opposition to her rights.

6. In support of these charges, Sahiba's deposition (No. 1), on solemn affirmation, was taken by Major Brown, as well as the depositions of other persons whom she named or brought forward. She also produced her private account-book (No. 2).

7. From her deposition, it will be seen she distinctly states that her mother-in-law, Tukutranee (then in charge of the estate, but since dead), made the arrangement with defendant, but that she obtained the money in part from her sister residing at Dehwan and her father residing at Dehej, and what money she had of her own; that she counted out and gave the amount to Bawabhoy and Khooshal Vyed, in the presence of Tukutranee, and they took it to the Dhurumsala in Bhurdurwa, where Venayek Moreshwur was putting up with the rest of Mr. Remington's establishment; that the amount was given on four different occasions. She also deposes that as she counted out the money, the entries as now shown in her book No. 2, were made, and that Mr. Remington with his office was at Bhadurwa when the money was given. She also distinctly denies having had any conversation with defendant on the subject of the money since it was given, and refuses to give any reason for the delay in complaining. In the cross-examination by Venayek Moreshwur, she asserts she has a written acknowledgment from the defendant that he had received the 8,800 rupees. This document (No. 3), it will be seen, was obtained by the late Political Agent not from complainant, but under very suspicious circumstances from Khooshal Vyed, chief adviser to Sahiba, and as on the genuineness of this document and

the private account book much depends, I think it as well to refer here at once to them.

8. The translation of this document is marked (No. 3), and is considered by a punchayet to whom Major Brown showed it, to be in a handwriting similar to that of other papers shown to them, which are known to be in the handwriting of defendant. It must, however, be borne in mind, there is no signature or mark to prove that Venayek Moreshwur wrote the said document, nor is it addressed even to complainant, who deposes she paid the money, and defendant distinctly denies all knowledge of it. Moreover, the complainant never mentioned in her deposition that she was possessed of such a document until cross-examined by defendant; nor did her adviser, Khooshal Vyed, in the whole of his deposition, mention that he had such a document in his possession, which if genuine and of such importance, it is natural to suppose would at the first have been produced. It is dated Sumt. 1900 A.D. (1844/45), or at least three years after the bribe is said to have been given, and Khooshal Vyed when questioned about the note, stated that it was written by defendant to Tukutranee, and when delivered to him by defendant, it was sealed or closed.

9. The same punchayet who examined the note just alluded to, also examined the account book (No. 2) produced by Sahiba, and at once decided that the year Sumt. 1896 (A.D. 1840/41), had been altered to Sumt. 1897 (A.D. 1841/42). This circumstance alone would, at once, by respectable merchants, throw doubts on the whole book. There are, however, other points of suspicion, the items being written on single leaves and Venayek Moreshwa's name being written at full length. The book, moreover, begins with accounts for 1897 A.D. (1841/42), and ends with accounts for 1896 A.D. (1840/41). Again there is a balance in hand of Rs.2,114. 4. shown in this book, and to prove its correctness it was necessary that the books for Sumt. 1895/96 should be examined, the complainant and Kooshal Vyed, however, failed to produce them. No proof has been adduced by complainant, that the item of 3,201 rupees was obtained from her father, Heemutsing, he being dead no evidence could be obtained. The same may be said of the sum of 2,000 rupees, which she states she received from her sister Soorujba of Dewan, whom she failed to produce in support of her assertion.

10. It appears that the events which gave rise to the present charge took place in A.D. 1840/41 (Sumt. 1896), hence the necessity for altering the date of the account book to Sumt. 1897, for they could have had no reason to bribe so long as there was an heir to the estate.

11. The deposition of Khooshal Vyed (No. 4), distinctly contradicts that of Sahiba; on some material points, for instance, he denies he was present when the entries were made in the book. Says it is not customary to write the names of receivers of bribes at full length. An item of 2,075 rupees entered in her account book as received from two Banyans, whereas Khooshal Vyed states he himself gave it; also that on his going a second time in Sumt. 1901 (A.D. 1845/46), to Venayek Moreshwurin Baroda to demand the 8,800 rupees, the complainant Sahiba went with him, and that at this time defendant promised to pay in two years. He further states, that on paying the bribe he made notes on pieces of paper, but which he is unable to produce. The account books of this individual are tampered with in the most barefaced and shameful manner.

12. Bawabhoy (No. 5) the next evidence, swears to the delivery of the bribe, and agrees with Khooshal Vyed's statement as to the place, time and accounts, but denies he ever saw the items entered in the complainant's account book, nor does he know where Tukutranee and Sahiba got the money from, though Khooshal Vyed deposes on oath that he, Bawabhoy, advanced a portion of it; also states he was with Khooshal Vyed when he gave the yads (notes) of payment to Tukutranee, and that Dyaljee was writing in a book at the time.

13. It is evident from what has been recorded that both Khooshal Vyed and Bawabhoy must have been the advisers on the occasion, for they admit having paid the bribe, and yet Bawabhoy constantly states his ignorance where the different sums recorded in the account book came from; he further added when cross-examined by defendant, that the reason why Tukutranee did not complain during her lifetime, was, that she was too respectable to make complaints, an assertion which is easily disproved by the records of this office, as she accused the

the whole of the establishment of this office in the year 1843/44 of having taken bribes to the extent of 19,000 rupees.

14. I next find the evidence of Dyaljee Munoredass (No. 6), a servant of the late Thakor Jallemsingjee recorded. Little confidence can be placed in any thing he has stated, unless corroborated by other evidence; for a perusal of his evidence shows he has more than once perjured himself; that he wrote the account book produced by Sahiba to substantiate her charges, admits of no doubt, and also that the year in which the account book produced is said to have been written has been altered from Sumvut 1896 to Sumvut 1897. The note (No. 7) dated Kartick Sood, 2d Sumvut 1907 (A.D. 6th November 1850), for 251 rupees given to this evidence (Dyaljee) by Khooshal Vyed, is a most suspicious document when it is remembered that his first evidence before Major Brown was taken only five days after its receipt, when he deposed entirely in favour of Sahiba, and then subsequently on the 10th March before Captain Whitehill, and on the 8th April 1851, before Major Brown, solemnly deposes that he received it as a bribe for making the entries of 8,800 rupees in Sahiba's account book in the name of Venayek Moreshwur late in the year 1850; Khooshal Vyed the writer of this note cannot repudiate it, but asserts it was given for pay due to Dyaljee.

15. I will now refer to the second charge made by Sahiba that Thakor Surdarsing gave a bribe of Rs. 7,025. 8. to Venayek Moreshwur, and also mortgaged his Bhaeelee Wanta for a sum of money, which was never paid.

16. It is only necessary to refer to the thakor's deposition (No. 8) on oath before Major Brown, and to the bonds passed by the thakor on two occasions to Luximon Row Venayek, the defendant's son (marked Nos. 9 and 10); the thakor distinctly denies having given any sum of money as a bribe, nor does he attempt to deny that he passed the bonds; these latter clearly show that the Bhaeelee Wanta was mortgaged for ready cash, amounting to 7,551 rupees; the first bond bears date Sumvut 1900, Maha Sood 5th, corresponding with the 24th January 1844; the second bond is dated Bhadurwa Sood, 13th Sumvut 1904, corresponding with 11th September 1848.

17. The complainant has not produced any evidence that the thakor gave the bribe, nor has she or others been able to show that the two bonds are not genuine ones. It is therefore only fair towards the defendant that they should be received as true and *bonâ fide* documents; it is true the thakor now denies having received the money for the mortgage of the Bhaelee Wanta, but the bonds passed are for cash received, and his never having made any complaint or apparently taken any steps to obtain the money, must, I think, prove, as shown by the bonds and Venayek Moreshwur, that the money was duly paid: moreover from the date of the first bond it is satisfactorily proved that Venayek Moreshwur enjoyed the revenue of the Bhaelee Wanta up to the date of the attachment of the Bhadurwa State by the British Government, when this village was resumed, and against which Luximon Row Venayek complained to the Political Agent.

18. As Venayek Moreshwur was not in the service of Government at the date when either bond was passed, it appears to me that this portion of the charge should have been thrown out from the first, for as a private individual, the defendant I suppose possessed the same right of lending or receiving money, as any other merchant would have done, nor would Government, I imagine, wish to interfere in such transactions.

19. It should be borne in mind that it is now 10 years since these bribes are said to have been given; that the defendant has not been in the service of Government for the last eight years; that at the very time he is alleged to have received these bribes he was supposed to be in disgrace with the Political Agent, Mr. Remington, that he was sleeping in a public dhrumsala with the other carkoons of Mr. Remington's establishment; moreover it appears that after these bribes are said to have been given, Mr. Remington went to Bhadurwa on a complaint from Tukutranee, the party who is said to have given the bribes now under investigation, to investigate similar charges she brought forward against the whole of his native establishment (including defendant), and that this officer failed in obtaining any proof of those charges, as will be seen in the 13th

paragraph of his report No. 371 of the 20th December 1843, to W. J. Boyd, esquire.

20. Defendant Venayek Moreshwur was discharged the service of Government in March 1843, and though a sum of 4,500 rupees was debited against his name among the bribes above-mentioned, no mention was then made, or for years after, of the present charges, which it is natural to suppose would have been the case had such bribes actually been given; besides the defendant at the time Mr. Remington's investigation took place, was not in Government employ; consequently the present parties could have nothing to fear from any fancied influence on his part, as the time had passed when it could tell in his favour by screening him from the charges they had made against him as well as others.

21. In the year 1845 fresh charges of bribery against two carkoons in this establishment were made by the present parties, before Mr. Ogilvy, but no accusations against the defendant; on the contrary, he was called upon by them as evidence to prove their charges.

22. That the defendant with other persons were partners in a banking-house in Baroda, is and was publicly known, for through the aid of the Resident these parties in A.D. 1836/37 recovered sums of money from their constituents; as however this forms no part of the charges against defendant, I shall refrain from passing more comment on this subject than briefly remarking that the public servants of Government, European and native, do share in banks and other such companies even in the present day, consequently no blame can be attributed to him on this account.

23. Translations of some of the replies (Nos. 11, 12, 13 and 14), made by Venayek Moreshwur to the charges against him are annexed for the information of the Right Honourable the Governor in Council, and will, I think, be found amply sufficient to refute the charges against him when compared with the translations of those depositions of the evidences brought forward by Sahiba, for it will be seen that more than one person has committed perjury during the present investigation, and that they have produced documents, there is every reason to believe, are recent and gross fabrications.

24. Under these circumstances, it appears needless for me to occupy the time of the Right Honourable the Governor in Council, by entering into a minute analysis of the evidence of each individual, when the discrepancies, in both oral and documentary, are so apparent. I will therefore, with reference to the 2d paragraph of your letter now under reply, refrain from burdening the records of Government with translations of the whole of the voluminous documents on record, unless ordered to do so; for I find the greatest difficulty with my limited establishment in getting through the ordinary office work and preventing arrears.

25. From a careful consideration of every thing that has been brought forward during the present investigation, and from the knowledge that this is not the first occasion that similar charges have been concocted against the people in this agency, without such parties being able to prove their accusations, I am led to hope Government may deem it expedient to take some severe notice of the same, with the view of protecting the character of their servants in future, and deterring others from following such a bad example.

26. With regard to the present defendant, it appears to me that a deep-laid plot has been entered into to effect his ruin by the present complainant, urged on to it either in the hope of extorting money from him, or by the ill-advice of some of his numerous enemies in this place, and that consequently he is entitled to redress; for if a man's honesty and character are to be assailed with impunity by parties who have allowed 10 years to elapse before accusing him, who can consider himself safe? To prevent such cases in future, may it not be expedient to let the public know that after a servant of Government has left public employ for a certain number of years, Government will not listen to complaints similar to those which have occupied so long the time and attention of the Political Agent.

27. In conclusion, I would respectfully add, that from the few rough notes left by my predecessor in this case, I am led to believe he would have arrived at the same conclusion as I have myself now recorded.

28. The evidence Dyaljee (No. 6) was confined by Major Brown for having committed perjury, but on that officer's death he was released on security; I would therefore solicit the instructions of Government as to the disposal of the charge against him, and before whom he should be tried.

29. The translation of the depositions of Calledass Tulloobhoy (No. 15), is also forwarded; for in the first, taken on the 11th November 1850, he distinctly states he does not know whether the money for the Bhaeelee Wanta was paid or not, when in his second deposition, taken on the 7th June 1851, he distinctly states the money for the Bhaeelee has not been taken. In Appendix (F.) to No. 14, it will be clearly seen that this evidence fully admits the thakore did receive the money for the mortgage of the Bhaeelee Wanta, and that not obtaining any portion of the money for himself, he wrote to defendant on the subject.

I have, &c.
(signed) *Geo. Fulljames*,
Political Agent.

Rewa Caunta Agency, Baroda,
13 November 1851.

(No. 1.)

Baroda, 30th March 1851.

DEPOSITION on oath of Sahibba, Widow of the late Jalumsing, charging Baba Furkey with Bribery, before the Political Agent Rewa Canta; Baba Furkey present.

Question by Political Agent. You have accused Baba Furkey of having taken from you a bribe of 8,800 rupees in Sumt. 1897 (A. D. 1840/41), state the whole circumstances?—*Answer*. The money was given to him when the Sahib's (Mr. Remington's) camp came to Bhadurwa; my mother-in-law, Tukutranee, went to Baroda, and there made an arrangement with Baba that my son should get the gadee, and agreed to give the money. When she returned to Bhadurwa she told me that the money has to be given to Baba Furkey; then we obtained the money from my sister, Soorajba, residing in Deywan, and also from my father Heemuttsing Runna, at Dahej; and what money I had myself, I counted out and gave to Bababhoy and Khooshall Weid before my mother-in-law, Tukutranee; they took it to the dhurrumsalla where he had put up, and gave it him; also it was sent to Baroda and given him. These 8,800 rupees were given him on four different occasions. I have to-day made out a yad, and given to Weid and Bababhoy; call them, and they will show it. Dyaljee Kotaree has been kept concealed in Baba Furkey's house for the last three days; Dyaljee was always telling me to get the old chopree out of my house, and complains, because my daughter had grown up; now he says differently, therefore it appears he has been bribed. Baba Furkey having agreed to give him a bribe, sent his (Dyaljie's) nephew to fetch him, and he did so.

What proof have you that these rupees ever reached Baba Furkey's hands?—I can prove it by witnesses and books.

A chopree, sent by Sahibba to the Political Agent with her yad, dated Aso Wud 10, St. 1906 (January 1850), is shown to her.

Is this the chopree you produce as proof?—Yes, it is.

Can you read?—Yes, I can, a little.

Have you any other choprees besides this in your house?—Yes, I have.

Show the entries in the chopree proving that you paid this money to Baba Furkey?—I am unable to show them.

Who is the writer of this chopree?—Dyaljee is the kotarie (storekeeper) of our house, he wrote it.

On the 1st leaf of this chopree is the usual commencement and colour marks, and the date, showing that this chopree was commenced in Sumt. 1897 (A. D. 1840/41), and yet at the end leaves of the book are entries dated Sumt. 1896 (A. D. 1839/40); how is this?—This chopree is written by Dyaljee; I do not know why he wrote the accounts of 1897 (1840/41) at the commencement of the book, and those for 1896 (1839/40) at the end.

Remark.—The chopree is examined, and in the middle of the book the following sums are entered as having been paid to Baba Furkey on the dates specified:

Extract from private book of Sahibba, the widow of Jallumsing, page 7.

Date: Maghshur Shood 1st, St. 1897 (A. D. 1840/41).

Debited to,
3,775, Rajeshree Venaik Row Moreshwur Baba Sahib.
1,700, Ready money paid on Wud 14th.
2,075, Ready money; Magshur Wud 30th, paid through Weid Khooshal.

Date: Posh Shood—

Debited to,

4,500 Rajshee Venaikrow Moreshwur Baba Sahib, Posh Wud 2d.

4,500 Ready money paid by Weid Khooshall and Bowabhaee.

525 Rajshee Venaikrow Moreshwur Baba Furkey, Posh Sood 8th.

525 Ready money sent with Weid Khooshal and Bababhoy.

Question. Explain what sums you received from your sister and father, and how much you gave from your own house to make up this 8,800 rupees?—*Answer.* I received 2,000 from my sister, and about 3,200 rupees from my father; it is written in the chopree, but it is many years ago, therefore I do not properly remember; or do I remember properly how much I gave from my house; it is entered in the chopree.

Were the sums you say you gave to Baba Furkey entered at the time, or when?—The entries were made before me at the time I counted out the money.

Was Mr. Remington and his office at Bhadurwa when you say the money was given to Baba Furkey?—Yes.

Remark.—The chopree shows that the amount was paid on the following dates:

22 December 1840	- - - - - - -	Rs.	1,700
23 ditto	- - - - - - - -		2,075
25 ditto	- - - - - - - -		4,500
31 ditto	- - - - - - - -		525

The two first sums to Baba Furkey, at Bhadurwa, and the two last to him in his house at Baroda.

The Political Agent's office was at Bhadurwa on these dates.

Your chopree shows dates when the different amounts were paid to Baba Furkey; state which sums were given him in Bhadurwa and which in Baroda, as you before stated?—Two sums were paid, one at a time, at Bhadurwa, when all the karbarees were asleep; they were to be brought, so they were given to him between nine and eleven at night, and the other two sums were given in Baroda.

But state which of the sums were paid in Bhadurwa and which in Baroda, as you were first asked?—I do not now remember; what is written in the chopree is correct.

Remark.—On examining the chopree, it is not shown at what place the different sums were given.

It is now 10 years since you gave the money; why did not you or Tukutranee before complain; and why do you now?—At that time I had the management of the State, and now my daughter is old enough to be married, and I have nothing, and he did not do my business, therefore I complained.

State who were present when Dyaljee, as you say, made the entries on the chopree before you?—I and my mother-in-law, Khooshal Weid, Bababhoy and Dyaljee, were all present.

It is not customary to enter in the chopree the name of the person to whom a bribe is given, and Baba Furkey's name is entered; explain this?—It is customary to write the name for remembrance, therefore it was written.

State from whence you gave the first item of 1,775 rupees?—From my private cash; I sold my jewels and got the money.

To whom did you sell your jewels?—To a Banyan, whose name I do not now remember, so many years have passed; my father gave me these jewels; he sold them and gave me the money.

State, on your oath, if you have ever since then had any conversation with Baba Furkey on the subject of this money, and if so, what was said?—No, I have not.

This chopree commences with the year St. 1897 (A. D. 1840/41), have you choprees for St. 1895 (A. D. 1838/39) and 1896 (1839/40), if so, where are they?—I do not remember whether I have or not, ask my karbaree.

Baba Furkey requests to question Sahibba.

Question by B. F. After the death of your husband who carried on the management of the State?—Tukutranee, my mother-in-law; we lived together.

If Tukutranee had the management, why did you give these rupees, because if money was to be obtained or paid to any one she did it?—The son was mine; therefore I had a reason for giving the money.

You gave as a reason that the son was yours; Tukutranee had in her hands all the correspondence with the Sirkar, how was it you had authority to give the rupees?—My mother-in-law took the rupees from me, and gave them to Khooshal Weid and Bababhoy to give to Baba Furkey.

You have said above that you gave this 8,800 rupees to me from money received from your father and sister, and from money you had by you, but from your chopree it appears you received 3,201 rupees from your father, and 2,000 rupees from your sister, and from your own money Rs. 2,029. 9. 6., the total of these sums does not make up the 8,800 rupees; from whence did you make up the difference?—How can I now remember?

Then

Then there is some 1,600 rupees short of the 8,800 rupees, from whence did you make up this; this is what I have to ask you; you are answering deceitfully, because you have intrigued, and say you know not; if you were speaking the truth, what difficulty could you have to show this?—I have told you all I remember; now call Khooshal Weid.

Question by Political Agent. Did you get any of the 8,800 rupees from any shop at Bhadurwa?—What I got and what I gave, it is all written down.

Question by B. F. You say you do not remember from whom you got the money, he could not have made you a present of it, you would of course have returned it; how then can you forget from whom you got it (alluding to the unaccounted balance of 1,600 rupees)?—I sold my jewels, and got the money.

You have said above that you had the management of the State, and that now your daughter is 15 years of age, and as you have to marry her you have made this complaint; I ask you in what year you gave up the management?—What I knew I have said; call my carbaree, and ask him.

It is about 10 years ago since the subject of this complaint occurred, have you or your mother-in-law or son since then borrowed any money through me of any shroffs, and if so, was not it repaid from your mother-in-law's annual allowance?—No, neither I or my mother-in-law took up money through him.

In your first petition it is stated that when I asked for the money I agreed to return it with interest, that I would not take it as a bribe, but as a loan; that you then demanded an acknowledgment for it; that I replied I was a servant of the English Government, therefore I could not give an acknowledgment; but I was a servant of the Government, and took money on loan from several, and gave them all acknowledgments; why then did you not get one from me?—He might have given me a written acknowledgment.

If I did, then show it now?—I will show it to the Sirkar; I have it not now here.

Question by Political Agent. You say you got 3,200 rupees from your father; have you repaid him, or do you still owe it?—He made me a present of the amount.

You say you got 2,000 rupees from your sister, have you returned this to her?—I had to get the gadee for my son; my father and sister lived together; she also made me a present of the money; this was when I adopted my son, and to give to Baba Furkey.

Question by B. F. On what day and year did you adopt this son?—In Sumt. 1896, Shrawun Wud 8th (A.D. 20th August 1840).

You have said that this money was given you as a present when you adopted your son, and in the chopree you have produced these sums are entered as having been received from your sister and father on Maghsur Wud 30th, St. 1897 (A.D. 1840/41); why were they not entered when you made the adoption?—I did not then receive the rupees; my mother-in-law went to Baroda and made the agreement; when she returned to Bhadurwa, then I took the money.

You have said above, that when you made the adoption your father and sister gave you this money for Baba Furkey, and now you say that you took the money in Maghsur (December) when the Sahib's sowaree came; how is this?—In the Shrawun (August) month, when the adoption was made, arrangements were made to get the money, and when it was settled to be given, then I took it (the money).

[Adjourned until To-morrow.

(signed) *Lewis Brown*, Political Agent.

1st April.

Examination of Sahibba, continued.

Question by B. Furkey. You said yesterday, that after your mother-in-law, Tukutranee, had gone to Baroda and made the money arrangement with Baba Furkey, you then got the money from your father and sister to give to Baba Furkey, and paid him, while you said before that you had received the money as present from them to be given to Baba when you adopted the son; then you mean to say that before this there was no agreement with me; how, therefore, now can you prove that you received this money as present for the purpose of being given to me?—*Answer*. One of my people, either Weid or Bababhoy, went to Baba Furkey to ask him about the adoption, and as he advised I adopted; at that time arrangement to procure the money was made; afterwards it was determined what he should receive, and he was paid accordingly; my mother-in-law came once to Baroda.

You to-day say you adopted by my advice; why did you not say so yesterday?—Yesterday I stated that my mother-in-law had gone to Baroda to make arrangement; so to ask and make arrangement is the same thing.

You say to-day you sent either Weid or Bababhoy to Baroda to ask, and again you say that your mother-in-law went to Baroda to make arrangement, and that to ask and to make arrangement is the same word; how is this?—My mother-in-law went to Baroda to ask about the amount of bribe to be given.

You were asked yesterday by the Political Agent what proof you had that the money was given to Baba Furkey, and you replied that you had an account book which you produced, and also by witnesses; also that you had a writing, but that you had it not now with you; this is a case of many rupees, and you have complained after 10 years, what is the reason you have not this writing with you?—If I have it I will produce it to-morrow.

Is the whole of the chopree you have produced written by Dyaljee, or how?—The

amount of bribe given is written by Dyaljee, and the other accounts there may be written by others.

In the first page of the chopree the Sumwut (year) is written; its last number is scratched why is it scratched, and by whom is it done?—I know nothing about this (nomoo) account, ask the Wud (Khooshal).

Remark by Political Agent. An examination of the first leaf of the book shows that the date has been altered from Sumt. 1896 to Sumwut 1897; the alteration is quite apparent.

Question by B. P. After the death of your husband and son, the Sirkar entrusted the management to the karbaree of your State, during which your mother-in-law might have written a letter to Mr. Remington (Political Agent), on which, in A. D. 1840, that gentleman wrote to the karbaree, "that there was a dispute going on for the heirship, in the middle of which Tukutranee had written a letter; until the settlement if the Baee (Tukutranee) writes a letter she will be fined;" so the Sahib wrote clearly; you say that the adoption was made by my advice, and the bribe of rupees was determined; how, therefore, can this be the truth?—What I knew I have said, and Baba Furkey will be making a show of falsehoods and truths; call my karbharees, and ask them.

Your mother-in-law made a false complaint before the Bombay Government against the office-people, that they had taken bribes, on which orders came from Government for an inquiry; Mr. Remington made a laborious inquiry, during which your karbaree placed fabricated papers amongst others which had been seized, belonging to a Banya; this was seen by a servant of the Sirkar, I have heard; the inquiry into this case was reported to the Sirkar; orders came from thence, and Tukutranee was written to in 1844; she was a troublesome person, therefore she was not to remain at Bhadurwa; so I have heard, and you must know this; therefore is it not true that no hope remained of your adopted son getting the gadee; if, therefore, you had given me this bribe, why did you not then complain; and now you make a false complaint?—I know nothing about it; ask my carbharee.

You say it is about 10 years ago since you gave the money; from that date until within the last year have I not often put up at your house when going to and coming from Dakore?—He may (or will) have put up there.

Baba Furkey produces an original receipt from Sahibba for 280 rupees on account of "Seer," dated Sumwut 1902 (A. D. 1845/46), on the top of which is the word sign, and puts the question to her whether that word is or is not written by her?—It was not written by me.

Your father you say gave you 3,200 rupees, did he give it all in one sum or more, and in what currency?—I have said all I know, now I know nothing.

Did your father give you the money in rupees, and if so, by whom did he send them; and if by Hoondee, on whom was it—explain, and also explain in what way your sister gave you the rupees?—My father and sister came to my house and gave me the money in rupees.

Has Muckranee Hassankhee Jemadar been ever employed by you with other Sepoys?—I do not know.

Baba Furkey declines questioning her any further in this charge.

Question by Political Agent. In the last paragraph of your petition dated Aso Wud, 10th, Sumwut 1906 (A. D. 1849/50), you accuse Baba Furkey of having taken from your mother-in law, Tukutranee, 1,000 rupees in Sumt. 1894/95 (A. D. 1837/38–1838/39), when there was a dispute pending about the Kerda ferry boat; what proofs have you of this?—It is true he took these rupees; they were given him by Babhoy and Kakedass. Call them; they will prove it; there will be written proofs of it; ask them.

[Adjourned until To-morrow.

(signed) *Lewis Brown*, Political Agent.

5th April 1851.

Question by Political Agent. A note from you to Cotharee Duyaljee Munore, dated Sumwut 1907 (A. D. 1850), Cartick Sood 2d (November 6th), which has been produced before the Seerkar is shown to you, and you are requested to state, in detail, why and on what account was the note written; also, who made your signature which it bears?—In regard to the above, dated note shown to me by Carkoon Wamonrow Mahdhew, I have to state the signature made thereon is truly in my handwriting, while the note itself is written by Khooshal Weid. It is on account of the rupees I owed him for his service, and wherein it is mentioned that the same would be paid to him from the money to be received.

You state in answer to the question proposed to you that the money is to be received; state therefore from where you are to get the money?—When I receive I will give.

Before me, on oath

(signed) *Lewis Brown*, Political Agent.

(True translation.)

(signed) Lewis Brown, Political Agent.

(True copy.)

(signed) George Fulljames, Political Agent.

(No. 2.)

EXTRACT from the Private Book of Saheba, the widow of Jalumsing the late Thakore of Bhadurwa, page 7.

Date: Magshur Shood 1st, Sumt. 1897 (A. D. 25th November 1840).

Debited to—

3,775 Rajeshree Venaikrow Moreshwur Baba Saheb.
1,700 Ready money, paid on Wud 14, A. D. 22d December.
2,075 Ready money, Magshur Vud 30th, 23d December, paid through Vuyed Khooshalbhaee.

Date: Poush Sood 1st, Sumt. 1897 (A. D. 24th December 1840).

Debited to—

4,500 Rajeshree Venaikrow Moreshwur Baba Saheb, Poush Sood 2d, 25th December.
4,500 Ready money paid by Vuyed Khooshalbhaee and Bhawabhaee.
525 Rajeshree Venaikrow Moreshwar, Baba Furkey, Poush Sood 8th, 31st December.
525 Ready money, sent with Vuyed Kooshabhaee and Bhawabhaee.

(No. 3.)

TRANSLATION of a Note produced by Khooshal Vuyed, which he states was written by Baba Furkey to Tukutranee, and given to him by Baba Furkey (closed), to be given to Tukutranee.

FROM Venaik Moreshwur from Baroda, to Baee Shree Tukutranee Baee, in Bhadurwa, with compliments.

The reason of writing is, you sent Khooshal Vuyed to me for 8,800 rupees, I send him back to you, from him inquire. If you wish to take back the rupees, as you wish, so I will do; write to me if you have anything to do. Sumwut 1,900, Poush Vud Ugeearus (A. D. 16th January 1844).

(True translation.)

(signed) *Lewis Brown*, Political Agent.

(True copy.)

(signed) George Fulljames, Political Agent.

(No. 4.)

TRANSLATION of the Deposition of Khooshalbhoy Keerparam, aged about 46 years, Hindoo of a Visanggur, a Brahmin Caste, Merchant, Inhabitant of Bhadurwa; given on oath before the Political Agent in the Rewa Caunta, on the 11th November 1850.

Question. SAHEBA, widow of the late Thakoor Jalumsingjee, has preferred a complaint against Baba Furkey, for having received from her 8,800 rupees on assurance that he would cause her adopted son to be succeeded to the gandee of Bhadurwa; what do you know regarding it?—*Answer.* It is true that the said 8,800 rupees were paid to Baba Furkey by me and Bhawabhoy Goolabsing, in the Baroda currency, in four times. The reason why the money was given him is as follows:

Thakoor Jalumsing departed this life on the 9th day of Chintre Sood, Sumwut 1896, (A. D. 1839/40), his son also having followed the same fate. Tukhutranee Baee and Saheba, his mother and widow, sent me and Bhawabhoy to Baroda. At that time Baba Furkey was Karbharee of the Political Agent in the Rewa Caunta. Knowing that he would do the desired business, we met him and told him that Bapoosung has been adopted by Saheba according to the custom of the Raj, and that he (Baba Furkey) should use his influence with the Political Agent to obtain the sanction for Bapoosing's adoption. While conversing on this point, he said, he was in need of 12,000 rupees, and that if we were to pay him that amount he would interfere in the business to our satisfaction; we consented to what he said, and paid the above-mentioned sum. As we had not a large amount by us, we could not pay him more.

Who entered the money in Saheba's book, and were you present at the time?—I had made a memo. on a piece of paper at the time the money was paid, which I entrusted to Saheba and her katharee Dryaljee Munore, and which must have been copied in the book. I was not present at the time.

Where is the memo. made by your hand?—As it was a small piece of paper given by me to the persons named above, I do not remember where it now is.

As you have sworn to speak the truth, state whether you ever saw the entries written in the book, if so, when?—I saw them for the first time in Sumvut 1898 (A. D. 1841/42).

As you are the adviser of Saheba why did you not complain against the man when he was in the Government service, and what was the reason of your doing so now after an interval of so many years?—After his receiving the money he was for two years in the same service, when he said our business has been spoiled, but that he would talk to the Saheb, and improve it; thus we depended on his assurance. When he was dismissed from his situation, Tukhutranee, Bhawabhoy and myself went to Baroda in Sumvut 1900 (A. D. 1843/44), and demanded the money from Baba, when he said he had no money by him, and if we disgrace him we would not get any thing, but that if we were to keep patience he would give us the money. We returned on his making such a promise. In Sumvut 1901 (A. D. 1844/45), we came again to Baroda; Saheba was also with us this time, and when we asked Baba on the subject he made a promise to pay the money after two years, so that we were obliged to go back. Again in Sumvut 1904 (A. D. 1847/48) I went alone, when Baba said he had no money; I might do as I please. Since then Tukhutranee died, and we were engaged in her business. As Saheba's daughter's marriage is to take place, and as she has no money by her, she is obliged to prefer the complaint in question.

Is it customary to write in the book the name of the recipient of a bribe?—I know the custom, the name cannot be written, but the Baee and Kattaree to whom I gave the memo. copied it in the book, who were unaware of the custom.

From whose shop were the items of 1,700 rupees and others brought and given to Baba?—The first item of 1,700 rupees the Baee gave from her house; Manuckjee Hurreebhoy and Bhickabhoy Narun had to pay a certain debt to the Baee, out of which the former paid 1,175 rupees, and the latter 900 rupees; making a sum of 2,075 rupees. About 3,200 rupees were received from the Baee's brother Hemuntsing Ruma of Dhej, and 2,000 from the private money of Soorujba, sister of Saheba and wife of Wassoodia Kussulbhawa of Dehwan. Thus the money has been summed up, and an item of 4,500 rupees given to Baba; also another item of 525 rupees. As many days have elapsed, I doubt of the correctness of the amounts I have named.

In whose hand did you pay the said four items, and where?—I and Bhawabhoy paid 1,700 rupees to Baba on Magsur, 14th Sumvut 1897 (A. D. 1840/41), while in the cooking-room in the Bhadurwa dhurrumsalla; it was nearly midnight then, and all the carkoons were asleep. The other item of 2,075 rupees was given to him at the very same place on the next day at night time; since then he became unwell, when he obtained leave and went to Baroda, telling us to bring the remaining rupees there and give him. On Poush Sood 2d, I proceeded to Baroda, taking 4,500 rupees with me on horseback, and gave the same to him in an old house in a garden on the other side of his house; 525 rupees were also again brought by me from Bhadurwa and given him at the same place; this he made me put on a bench with three feet.

(signed) *Vyed Khooshalbhoy Keerparam.*

What is above written is true.

Before me, on oath,

(signed) Lewis Brown, Political Agent.

3d April 1851.

Examination of Khooshal Vyed, continued on his former oath; Baba Furkey being present.

Former Deposition taken down by the Political Agent on oath on the 11th November last, read out and acknowledged as correct by Khooshal.

Question. When the entries of the different sums were written in the chopree by Dyaljee, as you say, were you or were you not present?—*Answer.* No, I was not, I had written down the sums on a piece of paper, from which they were copied into the book.

When you counted out, and gave as you say these rupees to Baba Furkey, how soon afterwards did you write them down?—I wrote them down as I gave the different sums; afterwards on Posh Sood 3d or 4th, I gave Saheba a yad of three of the items, and the fourth item of 525 rupees; after I had given the amount I went and told Saheba the date, &c., when it was entered.

Did you count out the rupees to Baba Furkey in the dhurrumsalla?—No, I did not, they were given him in a bag.

The chopra produced by Saheba is shown to deponent, and he is asked whether it is the same book in which the rupees were entered, and if so to point out where the entries are?—Yes, it is the chopree.

Deponent shows the entries as sworn to by him in his former deposition.

The two leaves on which these entries are written, are single leaves, whereas all the rest of the leaves of the chopree on which there are many entries are folded; explain this?—The

Durbar

Durbar chopras are made free labour, the person who has the making them makes them up as he likes, either in double or single sheets, the owner does not sit with them.

The first sheet of this chopree shows that the date was first written Sumvut 1896 (A. D. 1839/40), that the 6 has been scratched out and 7 put in, making it the chopree of Sumvut 1897 (A. D. 1840/41); explain this?—I know not, the 6 figure is scratched out, the reason I think is that it is the chopree for Sumvut 1896 (A. D. 1839/40), but that it was not written in during that year, so when the accounts of 1897 (A. D. 1840/41), were commenced in, the figure was altered.

Where are the accounts of Sumvut 1906 (A. D. 1839/40) then?—The accounts for Magsur and Poush Sumvut 1896 (A. D. 1839/40), are written in this chopree; Jullumsing died in that year, therefore the private debts were not collected or the expense written. Both women were behind the screen, and no mehta was able to go near them.

A balance in Saheba's hand of Rs. 2,111. 4. is entered in Kateek Sood Bey, Sumvut 1897 (A. D. 1840/41), what proof have you of this?—Rs. 1,024. 11. were collected through Sheit Toolsudass Wallubdass in Sumvut 1895, and in Sumvut 1896 (A. D. 1839/40), Rs. 1,041. 9. 6. from him, and 20 rupees were given from it to Toolsudass as his pay. Rs. 20. 3. 9. were also received; total Rs. 2,066. 4. 6. remained in hand, and the rest might have been in the house; therefore, if these sums are counted, it will be seen that in Karteeck, Sumvut 1899 (A. D. 1842/43), Rs. 2,111. 4. balance, remained in hand.

Then it appears that all the sums collected in Sumvut 1895 (A. D. 1838/39), and Sumvut 1896 (A. D. 1839/40), remained in hand. Were none of those rupees expended during these two years?—What rupees were expended during those two years came from the produce of the seer lands, and these rupees remained in hand.

You say, that the collections of Sumvut 1896 (A. D. 1839/40), made through Toolsudas, were kept in deposit and not expended; whereas by examining the chopree produced by Saheba, in which are Toolsudas's accounts of collections and payments for that year, it appears that he collected Rs. 1,033. 7. 3. out of which Rs. 947. 11. were expended, leaving a balance in Saheba's hands, of only Rs. 85. 12. 3, instead of Rs. 1,033. 7. 3.; explain this?—The whole produce of Saheba and Tukhutranee, including Bheydra, was 1,800 rupees for one year; in two years 3,600 rupees were collected; in one year was expended 900 rupees; total two years, 1,800 rupees, and the balance remained in hand.

Then show the collections for Sumvut 1896 (A. D. 1839/40), besides those entered, amounting to only Rs. 1,033. 9. 3, in the account book for that year you have produced?—The collections for the seer lands are in a separate chopree, which I will produce.

Below the accounts for Sumvut 1896 (A. D. 1839/40), is an abstract of the accounts with Sheith Toolsudass for that year, and also for the former year, Sumvut 1895 (A. D. 1838/39); by whom were these abstracts written?—Both were written by me before Tukhutranee.

In Sumvut 1897 (A. D. 1840/41), was there friendship between Saheb aand Baba Furkey, and if so, why then was Baba Furkey's name written full length, showing he was the receiver of a bribe?—Yes; there was friendship between them, but the Baees knew not the custom about writing the name openly, and the writer was not wise; therefore the account was written openly.

Before me, on oath,

(signed) *Lewis Brown*, Political Agent.

4th April 1851.

Examination of Khooshal Vuyed continued, on former oath.

Question by Baba Furkey. You have said in your first deposition that you first saw the account current in this chopree in Sumvut 1898 (A. D. 1841/42), and afterwards said, that the last item of 525 rupees you told Sahiba, and caused to be entered; the sum is entered in the account of Sumvut 1897 (A. D. 1840/41), and you will have seen the entry at the time; how is this?—*Answer*. I saw the chopree in Sumvut 1898, and the last entry in Sumvut 1897 (A. D. 1840/41), of 525 rupees; I told verbally, and therefore it was entered, but not before me.

You have deposed in November, that you and Bhawabhoy went to Baroda to Baba Furkey, and said, "Get the Sahib to approve of the adoption," that Baba Furkey replied, "I require 12,000 rupees, which if you will give me, I will do your business," on which you gave the 8,800 rupees, and in your petition it is written, "Kurreensing having died, according to my custom I adopted Bapooseeng from amongst my nearest relatives, and placed him on the gadee, and, therefore, I wrote to the Sahib to get the approval of Government to the same:" this is clearly written in the petition; therefore, why do you say that you consulted me, and made the adoption?—Baba demanded 12,000 rupees, when it was settled that he would get the Sahib to agree to the adoption. Kurreensing died afterwards, having adopted Bappoosing. I, Tukhutranee, and Bhawabhoy went to Baroda, and met Baba Furkey, and told him that we had made an adoption according to the custom of our Swustan, therefore he should get the sanction of the Sahib to it. On which Baba said he required 12,000 rupees, which, if we would give him, he would exert himself, and get the adoption sanctioned; and that if he did not succeed, he would return the money; then having agreed, we returned home, and began to give the money.

This is not an answer to my question?—Before adopting Bappoosing Hemutsing, the father of Sahibba, and Culliansing, also a relative of Sahibba's, came to Baroda, and having

consulted with Baba Furkey, returned. I was not then present; and after the adoption, we three, I, Tukhutranee and Bhawabhoy went to Baroda, and settled the business.

You to-day say that Hemutsing and Kelleansing were sent to me to consult about the adoption; when you were making a false charge against me for such a large sum of rupees, 12,000, what difficulty was there to mention this in the petition?—We made a petition to get back our money; at that time we did not know that he would deny the charge, therefore we did not write their names.

I did not ask the question, because these two people's names were not mentioned, that they had asked my advice; why was this not written in the petition is my question?—Sahibba is the person who made the petition; she knew not about the advice; this was known to us; as Sahibba did not know, it was not written in the petition.

You have said the petition was made to recover your money; that you did not know I would deny the charge, therefore the names were not written; and before you said (in former deposition), that in Sumvut 1904 (A. D. 1847/48), I told you plainly to do as you liked, as I could not get the money; which is correct?—Baba Furkey did not say before me, that he had not received the money, but that he had it not to give (back); therefore, I did not know he would deny he received it.

You say, that in Sumvut 1904 (A. D. 1847/48), I said, I had not got the money, but you and I never had any conversation on the subject at any time, and I had then thousands of rupees transactions; therefore, why did you not then get Sahibba to complain?—I did so then, but on account of Tukhutranee's sickness, we did not complain; I before said so in my deposition.

Did Sahibba, Tukhutranee, or Bappoosing ever, through you, through me, borrow any money from any person?—Husseen Khan Jemedar demanded his pay from the Baees; Baba Furkey was the Nishadar, and through him Tukhutranee had to receive her; Nemnock Baba promised but did not give it her; when the Jemadar committed "Dhurna," then Baba was told, that if he would give the money, the Jemadar should be paid; but he refused, and said the Baee of Sonepoor and Hassain Khan owed him money, and paid him not, therefore we should pay him through him, and give him (Baba) a writing, that then he would, after deducting the amount from the Nemnock, tear it up: thus he said we were to do; which we did from friendship, and the money borrowed was returned.

Such a large claim is made against me by intriguing, and yet in Bapposing's name a writing was made out by Khooshal Vyed and given to Hassain Khan Jemadar, from whom 420 rupees were received, and he was taken into service; this was done through me; what was the necessity for taking this if you had to receive this money from me; I was not poor?—I placed the Jemadar in our service; and we had to give to the other Jemadar; so we discharged him, and kept the other Jemadar, and paid him with this money; this was not done through Baba Furkey.

Before me, on oath,

(signed) *Lewis Brown*, Political Agent.

Examination of Khooshal continued, on former oath.

Question by B. F. You before said that Hassain Khan Jemadar was owed some rupees by the Baees; that Tukhutranee had to receive her nemnook from Baba Furkey, and that the Baba had a claim against the Jemadar; that, therefore, from the telling of the Baba, a writing was given, and now you say that the money was taken to give to the Jemadar, who was discharged; which is true?—What I wrote on the 4th April is true, that the money was taken from the Jemadar when he was taken into service; and in the first answer I wrote the account of the amount of Hossain Khan's pay; so the rupees were paid to Hossain Khan; but I do not remember if a writing was given to Baba Furkey.

Baba Furkey produces a small piece of written paper, and asks,—

Is this written by you?—Yes.

The paper is read out, and the following is a translation:—

"From Baee Shree Sahibba Raneejee to Dyaljee Munhoredass.

"That when money for the business we have contemplated being done is received, the sum of 251 rupees will be paid to you.

(signed) "*Baee Shree Raneejee.*"

In the handwriting of Khooshal Vyed.

Dated Kartick, Sood 2, 1907 (6 November 1850).

Question by B. F. On what account did Sahibba get this writing, written by you and given to Dyaljee?—*Answer.* Dyaljee claimed five years' pay from Baee Sahib and Jalumsing, at the rate of 50 rupees per annum, according to the putta which he will have in his house; he came daily to claim these rupees, and also was performing some service for the Baee, according to the nature of the business; and also that he had nothing in his house, having gone without food until 12 o'clock, and taking pity on him, the note for his pay was written.

You say you gave the writing for pay due; why then did you not write to this effect (in writing)?—I did not recollect to write so (that it was for pay due). Baee said that Dyaljee was starving

starving himself, and she had no money then to give him; therefore, I was to give him a note, so that he might go home and eat, on which I did.

If the writing was for pay due, it is the custom to note thereon when the amount is to be paid; why was the date of payment to be made not written? If the money was to be given in pay due during Jalumsing's time, why was it not written until Sumvut 1907 (A.D. 1850–51); until then had you no pity for Dyaljee all that time, Jalumsing having died 11 years ago? —In Sumvut 1898 the Baees lost the charge of the Shewustan; then the private sepoys and Dyaljee wanted their pay which was due, and came to Mr. Remington at Baroda to complain; I was at the time living in camp; I met Dyaljee, who told me what they had come for, on which I promised him that if he would return to Bhadurwa, he should have his rupees, which he did; but the sepoys did not mind me, and petitioned. I remained after this in camp for two years; I did not go to Bhadurwa until Sumvut 1900 (A.D. 1843–44), when Dyaljee said to me, "You prevented me petitioning, and the Baees have not paid me;" I promised him he should have the rupees directly I could get them; I made many promises, and kept him. Tukhutranee was very kind to Dyaljee, therefore he did not come to complain, or did he try to enforce payment of the money by starving himself. When Tukhutranee was dying, she said to Sahibba, "I have a great affection for Dyaljee; therefore when you get the rupees, promise me to pay him his arrears of pay;" Sahibba promised, but said, "There is no large sum of money coming from the State; but I shall have to marry Bajeebah, when 10,000 rupees for expenses will be required; I will take it up from some one; from these rupees I will give Dyaljee the money;" so she promised. On this account the writing was given (to Dyaljee). I have said I lived in camp for two years, but not entirely so; every month or 15 days I visited Bhadurwa.

You say that Sahibba promised Tukhutranee that she would borrow rupees for the marriage, and pay Dyaljee from it; that she promised this, and also gave a writing; and in the body of the writing it is written, "that when the money for the business we have contemplated has been received, you shall have the rupees, as written above." State what business was contemplated, and what rupees were to be received. Tukhutranee had then been dead many days; what, therefore, was the great necessity of writing this note on the 6th November?—The business contemplated was the marriage of Bajeeba; but it would have appeared bad to have mentioned the marriage of Bajeeba in the writing for the pay due Dyaljee; therefore it was not written of only. The business contemplated was Bajeeba's marriage, and the rupees to be received were what were to be borrowed for this purpose; and Dyaljee was also told that when the money was taken up, he should be paid day by day; Dyaljee had been promised and put off; at last he starved himself, when the Baee Sahibba became angry, and ordered the writing to be written.

You say that Sahibba promised Tukhutranee that she would take up 10,000 rupees for her daughter's marriage, and out of it pay Dyaljee. This is a business of respectability, because this was an old debt due Dyaljee; what, therefore, was the difficulty of openly writing a business of such respectability and satisfaction, so as to have assured Dyaljee?—There is no harm if the relatives and others are told that 10,000 rupees are required to be expended; but it should not be openly written in the writing that the debt be paid out of the money to be borrowed for the daughter's marriage, Dyaljee being a private servant, and writing can never be given him that the money will be paid on Bonjeeba's marriage. The Raja's people might have come for the marriage, and if it had been written openly to Dyaljee, and if a delay should take place in paying, he would starve; therefore it was not written openly. This is not a poor person's daughter, but a thakoor's; therefore, how could the subject of the marriage be written?

Before me, on oath,

(signed) *Lewis Brown*, Political Agent.

6th April 1851.

Examination of Khosshal Vyed, continued on former oath.

Question by B. F. You say above that you, Tukhutranee and Bhawabhoy went to fetch back the money from me, and that I made promises; and again you say, the Tukhutranee at the time of dying made Sahibba promise to give Dyaljee his money; that Sahibba replied, that there was no money to be got from the State, but that when she borrowed the money for Bonjeeba's marriage, she would give it from that; then why did she not tell her to pay it from the money due from me, if I did owe this sum?—*Answer*. It is true that Baba owed the money, but the marriage of Bonjeeba was thought of performing in one or six months. As Dyaljee would not mind delay, such a promise was made.

How long have you been a servant of the Bhadurwa State and the Baee Sahib, and what pay have you received?—I was servant to the state for three years, Sumt. 1902–3–4, (A.D. 1845–46, 1846–47, 1847–48); and I visit (going and coming) Jaleensing and the Baees from Sumt. 1879 (A.D. 1822–23), until now. I* not as a servant, but as a medical attendant, for which I enjoy lands free; and for the three years I performed service, I received at the rate of 200 rupees per annum.

* S. O.

Sahibba writes in her petition that Baba Furkey refused to give a writing for the 8,800 rupees, because he was a servant of the British Government; but that Baba Furkey having satisfied her private carkoons, Khosshal Vyed, &c., she gave him the money. If he satisfied you, the rupees you got from him, through his carkoon, why did you return them; why did you not instead deduct the amount from the 8,800 rupees?—I borrowed from Baba about 100 rupees

100 rupees on my private account for my sowkaree; I returned it the second or third day; if I had kept those rupees to give the Baee, then the Baba who had given nisha for the Bhadurwa State for Sumt. 1902 (A.D. 1845-46), and for which I was security; and if any loss had been sustained, I should have had to pay; therefore I returned the rupees.

State if you know in whose handwriting this paper is (showing a Goozratee letter from Indrekooverbaee to Baba, dated Falgoon, Sood 1, Sumt. 1904 (A.D. 1847-48), asking for 200 rupees for her private expense, and stating that the same will be returned on receiving her money, for which she has made a petition)?—I know not by whom it is written, to which the same reply is given.

When did Sahibba's father and sister give the rupees (3,200); before the arrangement was made with Baba Furkey, or afterwards?—Afterwards.

Was the money received in coin, or how?—In rupees, all of it; the father and sister brought them themselves.

Question by Political Agent. When were these rupees entered as received in the chopree, and were you present at the time?—I do not know; I was not present.

When did you first see the entry, then?—In Sumt. 1898 (A.D. 1841-42).

Take the book in your hand, and swear that you saw these entries in it in Sumt. 1898 (A.D. 1842-42)?—I swear to it.

Before me, on oath,

(signed) *Lewis Brown*, Political Agent.

9th April 1851.

Baba Furkey requests to put the following questions to Khosshal Vyed.

Question by B. F. You stated above you informed Sahibba of your giving me the last item of 525 rupees, and caused the same to be entered in the chopree, but did not mention the date on which it was paid; state, therefore, the same?—*Answer*. Four or five days after the sum of 4,500 rupees was paid.

On Paeesh Sood 2d, A.D., you paid Baba Furkey 4,500 rupees; since then, until you gave him another item of 525 rupees, were you in Baroda or any where else?—Two or three days after I paid the item of 4,500 rupees, I went to Bhadurwa, when Baee gave me 525 rupees, which I brought and gave at his house in Baroda.

You stated you went in the meantime to Bhadurwa; were you alone, or was Bhawabhoy with you?—I went alone.

Before me, on oath,

(signed) *Lewis Brown*, Political Agent.

21st April 1851.

Examination of Khosshal Vyed, continued.

Question by Political Agent. State how 900 rupees from Bheekha Narunjee of Bhadurwa came into the hands of Tukhutranee Baee?—*Answer*. Bheekha Narunjee owed 900 rupees to Tukhutranee Baee; these were demanded from him, but as he had not them by him, and as we were in need of them, he credited the money in my name, and as I had also not the rupees by me, I received a loan of 900 rupees from Bhawabhoy, and paid the same to Baee; afterwards the said Bheeca Narunjee returned the money to me.

(signed) *Vyed Khosshal Keerpasunker.*

Before me, on oath,

(signed) Lewis Brown, Political Agent.

22d April 1851.

Khosshal Vyed's examination, continued.

Question by the Political Agent. You are shown by the Political Agent the signature and the handwriting of a witness made on a paper, and requested to state whose hand it is?—[This paper is one of the three papers produced by Baba Furkey. They being Vukaleetnamah from Vyed to Vukheel Remooluckram an agreement for pay and a draft of a petition.] *Answer*. The writing of the signature is like that of mine, but not mine, because there is a line drawn above S. S., while I have never in my lifetime done so; but I cannot say positively. There is a vukeel named Remooluckroe, residing in the Baroda camp, whom I had by order of the Baee Sahibkoover employed as a vukeel when I came to Baroda, and put up in the camp in the month of June (Jest) last, for arrangements to be made about Tukhutranee's "Seer lands": I had only passed a vukalut nama to him; however, he did not do any business for us, nor have we given him anything or made him do anything for us. He is unemployed as well as Baba, who knows whether both of them, being unanimous, have not given rise to a fraud; I have not, besides the mookhteearnaniah, passed to him any other papers. This Remooluck has not written a petition for us nor a draft for the same. A separate bond is passed to him, to the purport, that on our business being accomplished, we shall pay him so much. I cannot remember the exact amount. The bond in question is passed in his son's name as servant; he said, he would write a petition, if I give him half

of

of the amount agreed to him, which I promised to pay in 10 days. While he appears to have written in the bond as having received in ready money. Afterwards I went in the city, and there heard of his bad conduct, so I did not give him ready money nor had the petition written.

(signed) *Vyed Khosshal Keerporam.*

Before me, on oath.

(signed) Lewis Brown, Political Agent.

23d April 1851.

Khossal Vyed's Examination continued.

Question by Baba Furkey. You stated you saw the chopree produced first in Sumt. 1898 (A.D. 1841/42,) and until then you did not observe the entries therein made against Baba Furkey's name. Had you since then up to Sumt. 1906 (A.D. 1849/50,) any occasion to see the chopree again, and if so, how many times and for what purpose?—*Answer.* Since I saw the chopree in Sumt. 1898 (A.D. 1841/42,) I had occasion to see it again for Baba Furkey's business, which I did two or four times, but do not properly remember.

You said you saw it two or four times, but was it at Bhadurwa or any other place?—Once I went to Baba's house to demand money, when he asked whether the rupees given him have been entered against his name. I replied, I had not accounts at my house, but that the money is entered at Baee's house, to which he said with a reproach, "What, have you done this! why have you entered the money in my name?" and further, that I should bring the chopree with me when I again visit him. Afterwards I returned to Bhadurwa and did not come to Baroda until six or seven months. When the time of the promise made by Baba expired, Baee (which I do not remember) told me the time of the promise has been expired, and that therefore I should go to Baba to bring money; I then said to her, Baba had required the chopree, and further, that when he sees the accounts therein, he will say whatever he may have to do. The chopree should therefore be given to me, when she said I should prepare myself for going, and then take it with me. Two or four days afterwards, when I got leisure, I wrapped up my girdle and visited Baee, who delivered the chopree to me, on oath, that I would play no trick, and with it I proceeded to Baroda, keeping it in my hands but not giving it to Baba. I showed the same to him. He with a cross look said, no money could be procured then; he would not even give a budam. After seeing the Baee, whatever there may be to do will be done. Having stayed there for two or three days, I went to Bhadurwa. The day before I set out from Baroda, I had taken my dinner, but not supped in the evening, on account of having received such an answer from Baba, and that, therefore, I was much confounded; while going to Bhadurwa through the camp, I was called by Bheemsingjee, who made me drink opium; I then told him the circumstances of which he asked me; also, I showed this chopree to him.

In what year did the circumstance of showing the chopree to Bheemsingjee occur?—About four years ago.

Did you go to Bhadurwa directly you showed the chopree to Bheemsingjee?—About an hour or two afterwards.

(signed) *Vyed Khooshall Keerpashunkur.*

Before me, on oath,

(signed) L. Brown, Political Agent.

7th July 1851.

Kooshal Keerparam is called in and questioned on solemn affirmation.

Question. Saheba produced on the 3d April 1851, a letter dated Sumvut 1900, Poush Vud 11 (A.D. 16 January 1844), from Baba Furkey, to the address of Tukutranee, in which it is stated that "Vuyed Khooshalbhaee, who was sent to me for 8,800 rupees, is returned, and that you should make yourself acquainted from him; moreover, if you are desirous of receiving back the money, it shall be done according to your wishes;" state, therefore, whatever you know about the letter, and how it came to your hand?—I state, from looking at the letter, that I was sent by Tukutranee to Baroda at Baba Furkey's, to demand money from him. On the 1st day I asked for money from Baba, and then went to my quarter. The next day I visited him, when he wrote a letter, and having closed it delivered it over to me; on this I asked him what the contents thereof were, to which Baba replied, "Have you anything to do with it; the Baee on reading it will not send you back." I went with the letter to Bhadurwa, and gave it to Tukutranee Bhaee.

Did Tukutranee show you the letter after opening it?—She made me read it on the second or the third day, being then opened; the Baee would have caused some one to read it to her before.

From that date up to 3d April 1851, when it was produced by Saheba, did you see it again?—I had seen it on the day I was made to read it by Tukutranee; since then I saw it at Baroda, where it was sent for by Saheba, and not during the meantime.

In your first deposition, dated 11th November 1850, you stated, in particular, that you, Tukutranee and Bhawabaee came to Baroda in Sumvut 1900 (A.D. 1843/44), and demanded money; that again, in Sumvut 1901 (A.D. 1844/45), yourself, Tukutranee, Saheba and Bhawabhaee came and asked Baba (for money), and also that, in Sumvut 1904 (A.D. 1847/48), you came alone, as also the answer which Baba gave, but made no mention then of the letter for 8,800 rupees, now produced, and how is it you relate to it now; the letter is dated Sumvut 1900 (A.D. 1843/44), the year in which you state to have gone with Tukutranee to demand money, and further, that the substance of the letter is an acknowledgment for having received money?—I had no recollection of the letter since it was entrusted by me to Tukutranee. Lately, when Saheba was coming to Baroda, on being called by you, she found it, and showed it to me; to which I said, "Very good." I know not how it come to Baroda.

The letter is like an acknowledgment from Baba Furkey for having received the 8,800 rupees, while Saheba did not say anything about it in her first deposition; and it appears, from what you have stated, that she found it before leaving Badurwa; what is the reason, therefore, that neither she nor you made any mention (about the letter) till she was questioned by Baba Furkey?—I know that you were to be informed of the letter, but I was considering whether it should be shown to you when you happen to be alone, or how; two or three days elapsed in this consideration, and so I could not inform you of it.

In what month of the year Sumvut 1900 (A.D. 1843/44) did you, Tukutranee and others, come to Baroda to demand money from Baba Furkey?—In about the month of Cartick.

It appears, from what you have caused to be written, that you, Tukutranee and others, had come in the month of Cartick, Sumvut 1900 (A.D. 1843/44), to demand money from Baba Furkey, when the latter made a plain answer, that you would not receive the rupees if you disgrace him, but that you would if you keep patience, while the letter for 8,800, which is produced, shows that it is dated two months later, *i. e.* the month of Poush; what is the reason, therefore, of the Baee's sending you so early?—The Baee must know the reason; what do I know of her mind? I had come because she sent me.

Question by Baba Furkey. You stated that I told you, in Sumt. 1904 (A.D. 1847/48), that I could get no (money) while I was carrying on money transactions of thousands of rupees; why then did you not cause Saheba to complain at that time? To this my question you replied, on the 4th April, that as Tukutranee Baee was ill, she could not come to complain; but as the letter you produced had come to your hand before you left Bhadurwa, why did you not inform (the Saheb) the particulars of the letter then?—I am a witness; I would have told (the particulars) if I were asked.

You stated to-day that you delivered over the letter which I gave you to Tukutranee; by looking at it, it appears that if it were true, it was an acknowledgment. Notwithstanding such a document being in possession of Tukutranee, she, on Falgoon Sood 14th, Sumvut 1902 (A.D. 1845/46), caused you to address a letter to me in her name, begging me to give some money out of her nemnook to Hussun Khan; what was the reason, therefore, of her writing such a letter to me, if she really demanded the 8,800 rupees from me?—The nemnook money due from Surdarsingjee were caused by him to be paid through Baba, and that therefore the letter was addressed him to pay the Mukranee from them; why should she (Tukutranee) ask for such a sum from the 8,800 rupees?

Did I acknowledge to pay the amount of Tukutranee's nemnook for Surdarsingjee, or had either Surdarsingjee or you any claim against me?—Is Surdarsingjee not to cause the money to be paid through the Nishadar who furnished Nisha for Sumvut 1902?

Is it mentioned in the security bond and the agreement paper which have been passed, that the Nishadar should pay the amount of Tukutranee's nemnook?—This should be asked to Surdarsing; he caused us to be paid, and so we received.

You state that Tukutraneee, yourself, Bhawabhaee and Saheba used to come to demand money, while now (you) produce the fabricated document, after Tukutranee's death; why did not the latter complain then during her lifetime, if she had really paid me the money, and if the document were a genuine one?—Depositions have formerly been given why the money were received (by Baba). The above document is not a fabricated one. As Tukutranee Baee was not learned, and as she did not entrust to any one her letters during her lifetime, she could not recollect where she left the letter the day it was given her. I have already explained the reason why she did not prefer the complaint, that up to Sumvt. 1904 (A.D. 1847/48), she was put off on promises, and at last she met with a straightforward answer from Baba, since then the complaint was not made owing to her illness.

You say that Tukutranee was not learned, but as you were, and as it appears from your statement that you knew of the note, and that you were coming to demand money, why did you not cause the complaint to be preferred if the note was a genuine one?—Promises were made up to Sumt. 1904 (A.D. 1847/48), and at last a straightforward answer was made (by Baba). Since then, having allowed a year to pass, the complaint has been made.

(signed) *Vuyed Kooshalbhaee Keerpashunkur.*

You now complain for 8,800 rupees, and produce a fabricated document; what was the reason, therefore, of appointing Umooluckram as vukeel, and causing the draft of a petition purporting to have given me 12,000 rupees to be made before the present complaint was preferred?

preferred?—I did not cause the sum of 12,000 rupees to be written or made the draft. All the town people know that Umooluckram is an impostor, and vukeel of Hurrybhugtee; this will be made known if the Surker inquires about it.

Dated 7th July 1851.

(signed) *Vuyed Khooshalbhaee Keerpashunkur.*

Before me, on oath,

(signed) L. Brown, Political Agent.

(True translation).

(signed) L. Brown, Political Agent.

(True copy).

(signed) George Fulljames, Political Agent.

(No. 5.)

TRANSLATION of the Deposition of Bhawabhoy Goolabsund; aged about 60 years; Hindoo of a Rujpoot Kuneeya Caste; occupation, service; Inhabitant of Bhadurwa; given on oath before the Political Agent in the Rewa Canta on the 11th November 1850.

Question. SAHEBA, widow of the late Thakore Jalumsingee, has preferred a complaint against Baba Furkey, for his having received from her 8,800 rupees, on assurance that he would cause her adopted son to be succeeded to the gaudee of Bhadurwa; what do you know regarding it?—*Answer.* The said sum of 8,800 rupees has been given to Baba Furkey. Two items, one of 1,700 rupees and the other of 2,075 have been paid respectively on Magshur Vud 14th (A. D. December 22d), Sumvut 1897; and on the next day, the 1840/41, at about 9 o'clock at night, while in the Bhadurwa dhurumsalla, on Poush Sood 1st (24 December), we proceeded to Baroda, and the next day he (Baba) was paid 4,500 rupees at his house, and about 600 or 625 rupees were also given him on Poush Sood 6th (29th December), at his house; thus the money have been paid to him by me, and Khooshal Wuyed; many years having elapsed, I do not remember whether there was any other person with us at the time.

By whose hand have the above sums been entered in the book?—They must have been entered by Kotaree Duyaljee, as it is he who writes the accounts.

Had you made a memorandum of the money you paid?—No; because I knew not how to write.

Did you ever see the entries written in the book?—No; because I was not educated.

As you were the adviser of Tukutranee and Saheba, why did you not complain against Baba when he was in the government service, and what was the reason of your doing so now after an interval of so many years?—Tukutranee had demanded the money back from Baba, but as the latter refused, she being of a high family, did not then prefer the complaint. Since the last five years I am not in her service, and therefore do not know the reason.

Do you know where the money was brought from and given to Baba in four items?—That I do not know. Baee had given us the money from her house.

Before me, on oath,

(signed) *L. Brown*, Political Agent.

9th April 1851.

Examination of Bawabhaee, on oath; Baba Furkeya present.

Deposition on oath before the Political Agent on the 11th November last, read out and acknowledged to by Bawabhaee as correct.

Question by Political Agent. Were you present when the entries against Baba Furkeya of these rupees were made in this chopree produced by Saheba; if so, who else were there?—*Answer.* Khoshal Weid and I, in Sumt. 1897 (A. D. 1840/41), went from Baroda to Bhadurwa; Khooshal Weid gave a memorandum to Tukutranee; at that time Duyaljee was writing in a chopree, but I knew not whether it was this now shown me, or another, as I am uneducated.

What conversation took place regarding the yad when Khooshal Weid gave it to Tukutranee?—Khoshal Weid gave the yad to Tukutranee; she asked what it was; Khooshal Weid said he would read it to her, which he did; as he might have given it, so it may have been entered in the chopree.

You say you gave the rupees to Baba Furkey, did you count them out or give them in a lump?—Those given in Bhadurwa were in a bundle, and those at Baroda in two or three bags.

Question by Baba Furkeya. You said in your former deposition that you gave me in Baroda on Poush Sood (2d December 25th), Sumvt. 1897 (A. D. 1840/41), 4,500 rupees, and on the 6th same month 600 or 625 rupees; state at what time and in what place you gave it me; also who came with you and who was with me?—The rupees were given him in his old house (his woman Guzura's), in the room left of the window going in; its door is towards the East; the time was about 10 or 11 at night; Khooshal Weid and my nephew Narunjee were with me; the latter remained standing some distance off, when I and Khooshal Weid gave (the money); Baba Furkia was alone, and standing on the rear doorway; who were in the house I know not; the Baba took (the money) and placed it in the house: thus these two items have been paid.

Before I bought this house (Guzra's), did not you and Tukutranee, and others, hire and live therein?—It might have been rented during the time Lulloo Mehta was carbaree; he lived therein and I also, but I never paid rent.

You say you gave the item of 4,500 rupees to me; did you remain in Baroda until you had, as you say, given me the other item also of 525 rupees?—I was mohsulled, therefore I remained in Baroda for 15 or 20 days; during that time Khooshal Wuyed went to Bhadurwa, saying when going that Bhaee Saheb had called him; he returned to Baroda and then gave the last item; afterwards I and Khoshal Wuyed returned to Bhadurwa.

[Adjourned.

(signed) *L. Brown*, Political Agent.

11th April 1851.

Examination of Bawabhaee continued, on oath.

Question by Baba Furkey. You say you are called a carbarree, and you do the trade of a carbarree, state therefore where Tukutranee and Saheba got the 8,800 rupees you say you gave me; by whom were the rupees given to you; and if so, were they counted out and given you, or how; also state the number of rupees in each sum given?—From whence they got them, when they received them, I saw not, but I heard that Tukutranee expended 7,000 rupees in getting Jalumsing placed on the gadee. Now Sahiba asked for rupees; Tukutranee replied, "Whoever takes the son will give the rupees; if I sell my two jewels and give the money, and afterwards you should get the son and then sit down (separate) from me, how then shall I maintain myself?" thus they conversed; afterwards Saheba said to Tukutranee, "My father was the karbharee for 40 years, and he is your brother; you ask him and he will then assist me." At that time her father Himutsing was in Bhadurwa; they all assembled together, and Saheba sold some of her jewels; Himutsing sold them, and brought the rupees, but when he sold them I know not; perhaps in Baroda; the other rupees Himutsing gave from his house, and some rupees were brought from the house of the sister of Saheba, who lives at Dewan; also money was received from two Banians of the town on two notes Saheba held of theirs. All this I heard from Tukutranee herself; Tukutranee brought the money from Saheba's room, and gave it into my hands. They were not counted and given, but in a lump (mogum); she said there were so many; but a great many years have passed, therefore I cannot remember the number of rupees in each item.

In your first deposition you stated plainly the amount of each item, and also the very day it was given, and now you say you do not now remember, how then can you now be speaking the truth?—I gave four items, thus: 2,075 rupees, 1,700 rupees, 4,500 rupees, 500 or 525 rupees, but Tukutranee did not count out the rupees when she gave them; she told me verbally; therefore I said I did not now remember whether she counted them out to me or not.

You say Saheba's father and sister gave the money; how much did they each give, and how, by hoondee or in cash, and who brought them?—These rupees were brought by Himutsing the father and given to Tukutranee, and she also got the rupees from the two Banyans; the latter rupees came in cash, but how those brought by Himutsing came I do not remember; from what Tukutranee said, I remember that Himutsing and Saheba's sister gave the money in rupees.

How many years have you been a public or private servant of the Bhadurwa State, and what pay have you received yearly, and when were you dismissed?—I am a servant of the Bhadurwa thakore for seven generations; no written putta was given me; I got what I required for my expenses, and performed service. In Sumvut 1903 (A. D. 1846/47), in Magsur month (November and December), what I received for my expenses from the durbar was stopped.

You say you gave me 8,800 rupees, and Saheba in her petition says, "The money is not taken as a bribe, but as a loan;" did you therefore ever come to me to collect or recover those rupees, and if you did, then state the year and month, and who were with you?—In Sumvt. 1901 or 1902 (A. D. 1844/45, 1845/46), Tukutranee, I, Khooshal Wuyed and Saheba said amongst ourselves that as our allowance was stopped we must go to the Saheb (at Baroda), we therefore left Bhadurwa and come and remained in the dhurumsalla of Ruttanjee Candass, and afterwards in Oodeynarayen; I was with them then; Tukutranee went to Baba Furkey's house; before going there she said to me, "The rupees which were taken through you I wish to get back; why does he (Baba Furkeya) not give back my rupees. I replied I would ask him; then I and Tukutranee went to Baba's house and sat down;

down; she said to him "Pay those rupees." He answered, "You are to remain here for 15 days or a month; I will do what you like." After saying this, as we were going away, Baba said, I am (engaged) in your business.

What was the business I then was engaged in of Tukutranee's; explain?—Tukutranee was searching for rupees for the Chandla of Bajeeba, and she asked Baba Furkeya for them; on which Baba replied "I am in your iwuz; you are here for 10 or 15 days, within which time I will make up the sum."

After such a conversation, did I give the money; if not, why was not a complaint made to the Surkar?—Tukutranee is a high person; she would not permit Sahaba to complain; after Tukutranee's death, who could prevent Sahaba's complaining; since Sumvt. 1903 (A.D. 1846/47), I have left her; Tukutranee never complained against any one.

You say Tukutranee never complained; who then complained to the Bombay Sirkar during Mr. Remington's time?—I know not if Tukutranee complained; if Baba Furkya will show proof, I will say.

On the 11th November last, in your deposition, in the last answer, you said, you did not know where the money was obtained, and that you received it from the Bahee's house, and now you say that the money was obtained from Himutsing and Baee's sister, also from two notes of the Banyans, and that Himutsing sold the jewels of Sahaba and got the money; which is the truth?—That day, when I was asked where the money was obtained, I said, the Bhaees gave them; and now being asked, I say, that what I knew from Tukutranee's telling me that I have said; I am not able to say anything without the Sirkar's asking me.

(signed) *L. Brown*, Political Agent.

12th April 1851.

Examination of Bawabhay, continued on his former oath.

Question by Baba Furkia. After the death of Jalumsing, which Baee conducted the management?—*Answer.* Tukutranee was the authority obeyed.

You have said, that in Sumvt. 1897 (A.D. 1840/41), after having given Baba Furkia the last item, you and Khooshal Wuyed returned to Bhadurwa to Tukutranee, and that Khooshal Wuyed gave Tukutranee an* yad; at which time Duyaljee was writing in the chopree, and that Wuyed read out and explained the yad to Tukutranee, and that as the yad so was it written; but say, while Duyaljee was writing, who were present; and also state truly in what year Duyaljee wrote?—When Khooshal Wuyed read out and explained the yad, Duyaljee and Tukutranee were present, and I and Wuyed made four of us; at that time Duyaljee was writing, but whether this item or another I do not know, as I am uneducated. * *S. O.*

State the particulars in what way Bapoosing was adopted?—My brother's daughter Bajeeba was married to the deceased Jalumsing, and Saheba was also married to him. Himutsing, the brother of Tukutranee (Saheba's father) mistrusted me, he was therefore sent direct to Baba Furkeya to ask him; Himutsing returned to Tukutranee, and said that Baba Furkeya required 12,000 rupees, for which he will give assistance in getting Bapoosinjee adopted and placed on the gaudee by causing the Bombay Sirkar to be written to. After this was settled, Tukutranee returned to Baroda. When Jalumsing died, the Saheb was in Deagur Barria; at that time, Kurunsing (his son) was about 15 or 16 months old. Then Tukutranee thought that the people would not let us rest, but that if any assistance could be got from the Sirkar, she should have rest. She then wrote to Bajeebhaee of Barria, who replied that it was determined to give Baba Furkeya 10,000 rupees, for which he would afford asistance, and would send a thana in five days to prevent any hinderance. Afterwards Sutherland Saheb on our petition sent 10 sowars on the 12th day after Jalumsing's death; again from the Rewa Caunta Camp, 10 or 15 sowars, and a carcoon came, when the Baee's fears were set at rest. Three months after this, Kurrunsing died, and having adopted Bapoosing, came (who†) to Baroda, when Baba Furkey demanded 12,000 rupees; Tukutranee said it was first settled that 10,000 rupees were to be given; that Bajeebhaee was witness, and that she had his writing also; that "what he should say so she would give." "When you will give?" Baba Furkeya asked; Tukutranee replied that she would pay it all in the cold season; thus she said, and I know that she paid these rupees. † *S. O.*

When Tukutranee came to Baroda, as you say, to have this conversation, who were with her?—There were myself, Tukutranee and Boyjeeba. I and Tukutranee alone went to Baba Furkeya to tell him there were several other persons, but I remember not their names; they were poor people.

You have said, that Tukutranee being a great person, she did not permit Saheba to complain; but that when she died, Saheba complained; who could prevent her? But before Tukutranee died, she and Saheba did not agree for many years; and you and all the world know, that in consequence, you and Tukutranee were separated from her; therefore, would Saheba mind Tukutranee after this separation? If she complained during Tukutranee's life-time, and used her name falsely, she (Tukutranee) would not have agreed; therefore, after her death, Saheba complained when Tukutranee's evidence could not be obtained; is not this true?—From Sumvt. 1903 (A.D., 1846/47), I left her house and did not go there again; but if she had complained when Tukutranee was alive, she would have agreed if it was the truth;

truth; why should she not mind her own private affairs? if she was now alive, she would mind them.

You said above, you, Tukutranee, Saheba and Khooshal Weid went to Baroda in Sumvt. 1901 or 1902 (A. D. 1844/45, 1845/46), and went to Baba Furkia and told him to get a settlement of (this) money, and that I replied, "You are to remain here a month or 15 days; what you think proper, that I will do." This took place five years ago. If Tukutranee or Saheba had really given the rupees, then Tukutranee would herself have complained or caused Saheba to complain. You say Tukutranee prevented Saheba from complaining, why should she prevent her when she, as you say, wished to get back the money; and Mr. Remington, in such business, laboured hard, and you know how badly I got on with him; why, therefore, did they not complain?—Tukutranee looked on Baba Furkia as a great man and respectable for lacks of rupees, therefore, she thought he would not refuse to give these 8,800 rupees, and that when he was pressed he would give them, therefore she did not wish to complain; but that she would demand the rupees when the daughter was to be married; in the meantime she died; and the daughter was not married. Now only Saheba remains she will do what she likes.

[Adjourned.

(signed) *Lewis Brown*, Political Agent.

21st April 1851.

Examination of Bawabhaee, continued on his former oath.

Question by Political Agent. On Magsur Vud 30th (December 23d), Sumvt. 1897 (A. D. 1840/41), 900 rupees are credited on the name of Sha Bhickha Narunjee, in the chopree produced by Saheba; state if you know how these rupees were received?—By whom and when these rupees were paid I know not. At about 9 o'clock at night Tukutranee gave me about 2,175 rupees, and told me they were sent for and kept, being the amount owed by Bhickha Narunjee and Mukunjee: this I knew when she told me.

Have you given any (rupees) from your house or not?—I have account current with Khooshal Weid at my house; when he wants 200 or 400 (rupees) he takes them. He came to my house to receive rupees on loan, and said he had to give them to the people on loan. I then asked him when he would return them, to which he said, in 15 days; and further, that he would not give interest then, and if he keeps them any longer he would; thus he received rupees, fixing the interest at six annas; afterwards he returned the same and took other rupees. The bonds for that money, passed in that year, are at present in my house. I do not remember the items of rupees he took; first he was paid rupees in Magsur, and again in Vuyeesack.

How many rupees did Khooshal Weid take (from you) in the month of Magsur?—About 1,900 or 2,000 rupees; bonds for the same are not in my possession; there are two bonds for the money he was paid the second time, one for about 1,375 and the other for about 750 rupees.

For what purpose did Khooshal Weid take rupees from you in the month of Magsur?—He told me he had to pay them to the people; the money were* then paid to him without receiving a note.

Have you chopras to show these rupees?—No, I have not.

Khooshall Wuyd said, Bhika Narunjee not having money by him, the latter credited to his (Khooshal Wuyed's account), who also not having the same, received 900 rupees from you, and paid them to Baee, while you said Weid took from you 1,900 or 2,000 rupees to pay to the people; how is this?—He has received from my house 1,900 or 2,000 rupees, while he may do what he likes; he told me he had to pay the same to the people.

Dated 21st April 1851.

Mark of the signature of *Bhawabhaee Goolabsing.*

Before me, on oath,
(signed) Lewis Brown, Political Agent.

(True translation.)
(signed) Lewis Brown, Political Agent.

(True copy.)
(signed) Geo. Fulljames, Political Agent.

(No. 6.)

TRANSLATION of the Deposition of Duyaljee Munoredass, aged about 46 years, Hindoo of a Banian caste, servant of the widow of the late Thakore Jalumsingjee of Bhadurwa, given before the Political Agent in the Rewa Caunta, on the 11th November 1850.

Question. A BOOK produced by Saheb Ba, containing four entries for 8,800 rupees, of the name of Baba Furkey, is shown to you, and you are requested to state by whom, when, and by whose order were they written?—*Answer.* They were written by my hand in Sumvut 1897 (A. D. 1840-41), by order of Tukutranee Baee and Saheb Ba.

What did the Baees tell you about writing the entries in question?—A paper written by Khooshall Wuyed was given to me by them, and told to copy the same in a book.

Did you see the money being delivered?—Khooshall Wuyed and Bawabhaee demanded money from me to be given to Baba Furkey, which I paid them in the room of the Baee. I did not pay them the whole amount at once, but as they wanted them.

Were the money received from any banker, or where?—The rupees that the Baee received have been credited, and from them the above money were paid.

Has the Baee other books for the years Sumvut 1896-97 and 1898 (A. D. 1839-40, 1840-41, and 1841-42)?—No, sir.

In what currency did you pay the money?—In the coin that was then current.

(signed) *Duyaljee Munoredass.*

Before me, on oath,

(signed) Lewis Brown, Political Agent.

EXAMINATION of Duyaljee Manoredass before Captain Whitehill, Acting Assistant Resident of Baroda.

Question. YOU produced a note for 251 rupees, written in your favour by Khooshall Wuyed in the name of Saheb Raneejee, wherein it is stated, that "business is intended for;" state therefore truly in detail, what the business in question is about, and for what purpose the money were to be paid to you?—*Answer.* On Kartick Sood 2d, Sumvut 1907, (A. D. 1850, 6th November), I was called at the durbar by Saheb Raneejee and Khooshall Wuyed, and told while in a room that I was their old kotharee (a person entrusted with a granary), and that therefore I should not disclose to any one the secrecy they were going to tell me; thus saying, they said to me they have submitted a petition to Government falsely accusing Baba Furkey for having received bribe from them, and as they have to furnish proofs for the same, I should, being an old servant of the durbar, and the books of the former time regarding granary, &c. being written by my hand, debit in the name of Baba Furkey, in one of the above books they may give to me, an entry of 8,800 rupees as having paid as bribe, and at the same time to credit the amount in the names of the persons they tell me. They then gave me an old book written to a small extent. Whereupon, I told them I knew nothing in the matter, and how could I make up by fabrication the disbursements in a book according to their dictation; that if I do so, and if anybody were to question me on the point on solemn affirmation, how could I answer him falsely? Kooshall Wuyed then said to me, they have a powerful supporter, the instigator of the act, to whom I will be introduced, and that I should not at all care for it; to which I said it was all right, but how could I swear falsely without knowing anything. They then encouraged me that the instigator of the act was Bhavoo Tambeykur, and that therefore I should on questioning by any one in the matter, repeat the same that they may tell me, and cause it to be written, and further, that if I (their old kotharee) would not do so for them, what other person will do the same. Thus saying, they gave me a note, offering me 251 rupees. I was then made to debit in a book, in the name of Baba Furkey, four entries amounting to 8,800 rupees, and to credit the same on other person's account. I do not properly remember in how many entries they have been credited. Thus making the disbursements in the book, I handed over the same to Khooshall Wuyed, and returned to my house. Two or three days afterwards a sowar came to call me and Khooshall Wuyed, so we accompanied him and halted in the camp at Baroda, at Khooshall Wuyed's station. On the next day Khooshall Wuyed and his son, Beehur, took me to Bhavoo Tambeykur's, where there is a sitting place outside the door, and people had taken their seats there. While Bhavoo Sahib was standing inside the house near his bathing-room, where there were certain enclosures made of bamboo chips, Khooshall Wuyed went on. I and his son followed him a little while afterwards, but reached there together, as if we entered the house in company, and stood before Bhavoo Sahib, when he said our business will in a few days be ended, and that we should not fear nor retract. Receiving this consolation, we were returning, when Bhavoo Sahib said we should not go, to which Khooshall Wuyed replied, we would be present before him when he remembered us, and then we took our way. Soon afterwards, the Political Agent in the Rewa Caunta was about to proceed to Bombay, when he called on me, and I gave my deposition before him in the same manner as I was told by Khooshall Wuyed. This is the whole circumstance that has happened.

The note for 251 rupees, dated Kartick Sood 2d, (6th November 1850), that you have produced, is ambiguously written; on what ground do you then say that the amount was to be received by you for Baba Furkey's case?—At the time the note was written I was plainly told the money would be paid to me on Baba Furkey's case being accomplished. Myself not being properly educated, I did not then cause the note to be read to me, but when I afterwards had it read to me, I found it was written ambiguously. I then came to the conclusion, that as the entries had been written in the book against the name of Baba, and the note appeared to have been ambiguously written, the charge preferred against the latter individual is a fabricated one, and that if this would not be proved I would not receive anything. Knowing this, I had the note read out to me by one of my relations, who also answered me as above. This having produced doubts in me, I produced the note.

To what of your relations did you make the note read to you?—He is an inhabitant of Baroda, and if I were to name him, Bhavoo Tambeykur, who is kharbaree, on being made known of this would ruin him; I would not therefore tell his name till I receive full satisfaction.

Was the sum of 8,800 rupees, which you were made to enter in the book, written on a previous date, or how, and state whether you are now a servant?—The book being of a former year, and myself being an old kotharee, I was made to write on a former date. I am not now in the service.

Has the note for 251 rupees, which you have produced, been written by Khooshall Wuyed's own hand-writing, and the Raneejee's signature which it bears, written by her in your presence?—It was written by Khooshall Wuyed in my presence, and made the Raneejee Sahib sign it, and at the bottom of it the former having added "Lukheetuny" (writer), gave the note to me. With the exception of three of us there was no other person there.

Dated 9 March 1851.

(signed) *Duyaljee Munoredass.*

Written in his own hand-writing.

Before me, this 10th day of March 1851,

(signed) S. Whitehill, Captain,
Officiating Assistant Resident.

April 8, 1851.

EXAMINATION of Duyaljee continued on his former oath, before the Political Agent, in the Rewa Caunta.

THE deposition of Duyaljee, taken down on his former oath, on the 11th November 1850, is read out to him, and he acknowledges it.

A deposition of Duyaljee, taken down by Lieutenant Whitehill, Assistant Resident, on the 10th March 1851, is read out to him, and he acknowledges it to be as he said before the Sahib.

Duyaljee requests to be allowed to explain; which he is permitted to do.

Dewalee, 4 Nov. The entries of receipts and disbursements in the chopree were made by me six or seven days before the Dewalee; then afterwards (Kartick Sood 2d), on the 6th November, we were ordered to attend on the Political Agent, when the "writing" was written. I was four or five days writing the entries in this chopree; should I happen to go to make water, or get tired, then Beeher, Khooshall Wuyed's son, went on writing therein; what he wrote will be seen in the chopree. Khooshall Wuyed gave me a chopree (made) for Sumvt. 1896, (A. D. 1839-40), and told me to write the accounts for Sumvt. 1897 (A. D. 1840-41) in it. I asked, how I could write the account of Sumvt. 1897, (A D. 1840-41), in a book of Sumvt. 1896, (A. D. 1839-40); if I did so I should be guilty before the Sahib. Then Khooshall Wuyed with his own hands altered the figure 6 to 7, making it Sumvt. 1897, (A. D. 1840-41); this is my statement.

Duyaljee is sworn to speak the truth.

Question by Political Agent:—On the 11th November last, you swore before me, that the entries of 8,800 rupees against Baba Furkey's name in the chopree, were written by you in Sumvt. 1897 (A. D. 1840-41), and that with your own hands you gave the money to Khooshall Wuyed and Bhawabhaee, to be given to Baba Furkey, whereas you have stated (not on oath) before the Officiating Assistant Resident, on the 9th and 10th March last, these entries were made by you on the 6th November, Kartick Sood 2d, Sumvt. 1907, by Khooshall Wuyed and Saheba's entreaties, for the purpose of falsely accusing Baba Furkey of taking bribes. You have been sworn by the Political Agent, therefore state truly which statement is the correct one?—I swear before the Political Agent, that my statement before the Political Agent, on the 11th November 1850, is false, and it is also false what I stated before the Officiating Assistant Resident on the 9th and 10th, that I made the entries in the chopree on the 6th November 1850. The truth is, that I was made to make these entries as if for former years, in the month of October 1850. Wuyed Khooshall and Sahiba for two or three days were saying, "You are our old servant; if you will not do our business, before whom shall we speak our secrets?" Thus saying, they agreed to give me 251 rupees, and caused me to write in the chopree, and made me guilty (a criminal). When the sirkar

sent

sent for me, I told Khooshall Wuyed I would not go, when Khooshall Wuyed and Sahiba wrote me a note for 251 rupees, and with it I accompanied them to Baroda, and placed the note at my house.

Where is the note written to you by Sahiba and Khooshall Wuyed?—I produced it to Captain Whitehill. [The note for 251 rupees, of which mention is made in Khooshall Wuyed's deposition, is shown Duyaljee, who says it is the same he received.]

When Khooshall Wuyed and Sahiba persuaded you to make these entries against the name of Baba Furkey as bribe in a chopree for Sumvt. 1896 (A. D. 1839-40), of money said to have been given in 1897 (A. D. 1840-41), did they show you many documents to prove Baba Furkey had been paid the money?—They did not show me any documentary proofs, but Khooshall Wuyed had a chopree, from it he caused the items of receipts and disbursements to be written. When it came to enter sums in Baba Furkey's name, he gave them written on a piece of paper, from which I wrote.

In this chopree are first of all the accounts of Sumvt. 1897 (A. D. 1840-41), then Sumvt. 1898 (A. D. 1841-42), and lastly Sumvt. 1896 (A. D. 1839-40); explain this?—When I wrote the accounts of Sumvt. 1897 (A. D. 1840-41), and Sumvt. 1898 (A. D. 1841-42), in this chopree, those of Sumvt. 1896 were not entered at the end of the chopree, except two leaves, in which were written the accounts of Bydra, either by Toolseedass or Girdar Shait; and the accounts which are now at the end of the chopree, and are written by Khooshall Wuyed, were not then there. I did not see them.

Were you Sahibah's and Tukutranee's servant in the years Sumvt. 1897 (A. D. 1840-41) and 1898 (A. D. 1841-42); if so, did you write the accounts of those years at the time?—I was their servant those years, and wrote the accounts of receipts and disbursements for those years, but in those accounts no large items are written.

This chopree is produced by Sahiba as per account book for those years, and you have said the accounts for those years are written by you. The chopree is therefore shown to you, and you are requested to state plainly on oath, whether there are any entries in it you made at the time, that is in the years 1897-98 (A. D. 1840-41 and 1841-42)?—I have looked at this chopree shown me, and say that not one item therein was written by me in those years 1897-98 (A. D. 1840-41, and 1841-42); the whole accounts in that chopree are false, and were written from Khooshall Wuyed's chopree in last October.

After committing this fraud as you say, and after falsely swearing before the Political Agent, what makes you now come forward to confess your guilt?—My sister's son Hurjeewun came to Bhadurwa to go to Chucklasee; before I produced the note for 251 rupees before the sirkar, he slept in Khanpoor; there he caught fever and cough, on which he came in the morning to my house at Bhadurwa. I kept him and told him I had committed an intrigue, and begged him to hear what I had to say; then I told him of the concern I had in the intrigue against Baba Furkey, and showed him the note for 251 rupees. He said it is written in the note "that the business is contemplated, therefore you have convicted yourself, therefore come with me to Baroda and we shall consult with our relations," which I did, and met our relatives and remained there one or two days. I showed the note to my relative Veerujbhookhum Moda; he advised to go and explain to the Sahib, otherwise I should be ruined. Then he went and told Baba Furkey, who advised me that if I was speaking the truth to go and tell the Sahib that he knew nothing of it. This was told me by Veerujbhookum; then I went with him to Baba Furkey, who took me to the Sahib, to whom I told what I had to say, and accordingly the Sahib wrote it down. I also produced before the Sahib the note for 251 rupees.

What pay did you receive when you were a servant of Sahiba's; for how many months is the pay now due you?—Sahibah and Tukutranee gave me a putta for 51 rupees per annum, and employed me; of my pay about 500 rupees are now due, and if the interest is counted it will be 800 or 900 rupees, but that is in the hands of the Sahib.

What is the year and date of the putta?—A Sahib came and took Wankaneer; it was the year before or after this that the putta was given me, when Julumsing died, and Sirdarsing sat upon the gadee. I did service for three or four years after this.

Before me, on oath,

(signed) *Lewis Brown*, Political Agent.

(True translation.)

(signed) Lewis Brown, Political Agent.

(True copy.)

(signed) Geo. Fulljames, Political Agent.

(No. 7.)

Translation.

[From Baee Shree Sahiba Raneejee to Dyaljee Munhordass.

That when money for the business we have contemplated being done is received, the sum of 251 rupees will be paid to you.

(signed) *Baee Shree Raneejee.*
In the handwriting of Khorshal Vyed.

Dated Kartick Sood 2d, 1907,
(6th November 1850.)

(True translation.)

(signed) S. Whitehill, Off. Assist. Resident.

(True copy.)

(signed) G. Fulljames, Pol. Agent.

(No. 8.)

TRANSLATION of the Deposition of Surdarsing Purtapsing, aged 32 about years; Hindoo Rujpoot; Thakore of Bhadurwa; given on solemn affirmation before the Political Agent in the Rewa Caunta.

Question. Sahiba, widow of the late Thakore, Jallimsingjee, of Bhadurwa, has written that you paid to Baba Furkey Rs. 7025. 8. in cash, and mortgaged to him the Bhaeelee Wanta; state, therefore, whatever you know in the matter?—*Answer.* I have not given anything to Baba Furkey. I passed a bond to him mortgaging the Bhaeelee Wanta, in order to receive money from him to be paid to the creditors, but did not get any. The bond in question is written in the name of Baba's son, and not in his.

Did Baba Furkey carry on the management of the village after the bond was entered into?—Yes, for about two or three years.

When you did not receive money from Baba, why did you allow him to enjoy the revenues of the village?—In those years Baba, being sowkar for my state, was conducting the management, and so he received the revenues of Bhaeelee.

Were the revenues of the Bhaeelee Wanta enjoyed by all the sowkars (partners), or by Baba Furkey alone?—That I do not remember; but all the sowkars having preferred a pecuniary claim against me, and not accounted therein for the revenues of the Bhaeelee Wanta, I wrote a letter to the surkar (political agent).

Your letter, dated Jeth Sood, 2d Sumt. 1903 (A.D. 1846-47), entered on the 16th of June 1847, is taken out and seen wherein it is written by you, that your claim for the Bhaeelee Wanta rupees is only against Baba Furkey, and not on all the sowkars who are partners; while in the answer to the above question you mention of your claim against all the partners, how is this?—Baba Furkey had in the month of Poush Sumt. 1903 (A.D. 1846-47) petitioned to the Political Agent against me on the strength of the mortgage bond, copy of which was sent to me, and knowing therefore that he had received the money in lieu of that paper, I preferred my claim only against him.

Where is that bond?—It is with Baba; a copy of it is in my possession, but at Bhadurwa.

Why did Baba Furkey not give the money?—He put me off on promises for the same; afterwards attachment was placed by Government on my talooka; this having produced enmity among us, he did not give me.

Copies of a petition and a bond presented to the Political Agent by Baba Furkey, on Poush Vud. 9th, Sumt 1903 (A.D. 1846-47), claiming possession for the Bhaeelee Wanta, have been sent to you, with an order dated 20th January 1847, No. 88. Have you written an answer to the same, and if so in what manner?—Many years having elapsed, I do not remember by heart whether I have written an answer or not. The bond for the Bhaeelee Wanta was passed, but no money received. This is my answer.

(signed) *Surdarsing Purtapsing.*

Dated 11th November 1850.

Before me, on oath,

(signed) L. Brown, Political Agent.

(True translation.)

(signed) L. Brown, Political Agent.

(True copy.)

(signed) G. Fulljames, Political Agent.

(No. 9.)

TRANSLATE of a Mortgage Bond passed by Maharunna Shree Surdarsingjee Partapsingjee of Bhadurwa, to Rajaishree Luxmunray Venayek Furkey, dated Sumt. 1900, Maha Sood 5th (corresponding with the 24th January 1844.)

HAVING received from you in cash 7,551 rupees at one time and in one item, I freely and willingly mortgaged to you, without rent, my wanta of the village of Bhaeelee Taba Baroda with the whole of its land, including that on which houses have been built, the wells and ponds therein, the trees and pastures, &c., from sky to the bottomless abyss; also with power and authority over it as before. These rupees have been taken to pay off the debt due by me to certain people, which was incurred while I was at Baroda, for the dispute between me and my brother Jallimsingjee about partition; also to liquidate the debt formerly received on the above account; and lastly, to make a settlement of the demands made against me on being lately entrusted with the Swusthan (Bhadurwa) by those creditors from whom I had borrowed money during the time the surkar had made over to me the state of Wankaneer, to make up the amount of loss I had sustained on account of its (Wankaneer's) jumahundee being heavy and its population having then decreased. There is no charge of interest on the money in question, and no claim by me on the produce of the wanta. Thus I have given over (the wanta) for a period of 11 years. It can be redeemed on paying the money in cash in one item (after the termination of the period of 11 years) on the Akhatreej (end of April or beginning of May). If I would not redeem it at the fixed period I cannot do so, even by paying the money, until it pleases you to redeem it. This writing is true.

(signed) *Maharunna Shree Surdasingjee Purtapsingjee.*

Witnesses:

(signature) made in the name of Runchodejee Maharaj (one of the Hindoo gods).
„ Meheta Doolurjee Runchoredass.
„ Meheta Coleedass Lulloobhoy.
„ Duney Beheehur Mourjee.

(True translation.)

(signed) L. Brown, Political Agent.

(True copy.)

(signed) G. Fulljames, Political Agent.

(No. 10.)

TRANSLATION of a Copy of a Bond passed by Runna Surdarsing Purtapsing, Thakore of Bhadurwa to Luxumonrow Venaik Furkey, of Baroda, dated Bhadurwa, Sood 13th, Sumt. 1904, Monday (A.D. 11th September 1848).

HAVING received from you on loan a sum of 7,551 rupees in ready money, in the year Sumt. 1900 (A.D. 1843-44), I have passed a bond to you on Mag Sood 5th (January 24th), Sumvt. 1900 (A.D. 1844), mortgaging to you the Bhaeelee Wanta, which is free of rent, on the following conditions. That no interest should be charged upon the sum of 7,551 rupees, nor should I claim the produce of the wanta. In lieu of interest you should enjoy the yearly produce of the wanta. The money is to be paid at the end of 11 years. After 11 years, on Akhatrij (Vysack Sood 3d), on my paying the money at once, the wanta shall be redeemed. If I fail to pay the money on the date specified, it shall only be redeemed at your pleasure on my paying 7,551 rupees. Such conditions are written therein. According to this agreement you possessed the wanta in Sumvt. 1900 (A.D. 1843-44), and enjoyed its full produce till the end of Sumvt. 1902 (A.D. 1845-46), in lieu of interest. When I caused an attachment to be placed upon the Suvusthan in Sumvt. 1903 (A.D. 1846-47), I also caused the wanta to be attached, notwithstanding its being free of jumahundee; but I acknowledge that I owe you the above money, and I also agree to pay you interest from the beginning of Sumvt. 1903 (A.D. 1846-47) to this day. That is from the time you were dispossessed of the wanta on account of the attachment. But the marriage of my daughter having taken place in the above year, I am in want of money; besides, the debt due to sowcars has much increased, consequently I am in much want. I therefore requested some remission from you upon this; you, with great kindness, remitted its interest from the month of Cartick Sumvt. 1903 (A.D. 1846-47) up to this day, and 550 rupees from the principal, and the remaining sum of 7,001 rupees I agree to pay you according to the following instalments:—

					Rs.
On Magh Sood 2d,	Sumvt.	1905	(A.D. 1848-49)	- - -	750
Ditto	ditto	1906	ditto	- - - -	750
Ditto	ditto	1907	ditto	- - - -	750
Ditto	ditto	1908	ditto	- - - -	750
Ditto	ditto	1909	ditto	- - - -	750
Ditto	ditto	1910	ditto	- - - -	750
Ditto	ditto	1911	ditto	- - - -	750
Ditto	ditto	1912	ditto	- - - -	750
Ditto	ditto	1913	ditto	- - - -	750
Ditto	ditto	1914	ditto	- - - -	251
			TOTAL	- - -	*Rs.* 7,001

According to the above instalments I will pay the money every year. Should I, however, fail to pay the money on the dates specified, I will pay interest at the rate of 12 rupees per cent. from the date of instalment to the time I pay the money. In lieu of this money I have mortgaged the following villages. For the amount of jumahundee, due from our Suvusthan, some sowcar will become security every year. With this sowcar I will make some arrangements every year for my private allowance; and I will make the sowcar agree before you, in the month of Cartic every year, to pay you the money, according to the instalments, out of the private allowance. In lieu of this money due to you I have mortgaged to you my Bhaeelee Wanta, which is free from any jumahundee. If in any year you cannot get the money according to the fixed instalment you should take possession of the wanta, manage its affairs, and take up your remaining money. If you can collect more than the amount of your instalment, you should take it and account for it in the next instalment; if less, I will make good the amount. The wanta will only be redeemed on your receiving the whole of your money. If no security can be obtained in any year, and the attachment from the surkar be renewed, I will pay you the money according to the fixed instalments, without any delay, out of my private allowance I receive from the surkar. Should I deviate from this, or act dishonestly, Runchoreryejee (name of God) is the mediator between us. For me to observe this and pay the money is given as my security. I (security) write of my own free will and accord, that Thakore Surdasing Purtabsingjee will act as above, and pay the money according to the fixed instalments; if not, he will deliver over the tham (Bhaeelee Wanta). Should he, &c., dispute for anything, and not pay the money, I will pay it out of my own private purse, according to the conditions above described; and I shall only be relieved from this guarantee when the whole of your money is paid up. Written with my own free will and sound judgment.

N.B. Left Blank in the original document. *G. F.*

(signed) *Runna Surdarsingjee Purtapsingjee.*
In his own handwriting.

Written by Doolubjee Runchoredass.

Witnesses:

1 Shree Runchorerye Maharaj.
1 Dooluvjee, on the part of Chasutjee Jubhaee Veerabhaee.
1 Dooluvjee Runchoredas.
1 Duvey Bechur Maojee.
1 Dessaee Hurrilall Bhicabhaee, of Sunkhera, in his own handwriting.

(True translations.)
(signed) L. Brown, Political Agent.

(True copy.)
(signed) G. Fulljames, Political Agent.

(No. 11.)

TRANSLATION of a Communication from Venayek Moreshwar Furkey to the address of Major Lewis Brown, Political Agent in the Rewa Caunta, dated Sumt. 1907, Jaith Sood 12th (corresponding with the 10th June 1851).

A. C.

YOU requested me to submit a written statement, if I have to make, in regard to the complaint preferred against me by Saheb Koover of Bhadurwa, which has been inquired into, so that it (statement) may be sent to Government with a report; accordingly I represent it in the following articles:—

1. Your considering Saheb Koover as complainant is proper; but I cannot conceive from the inquiry that has been instituted whether Khooshal Wuyed was considered as complainant or witness; because sometimes while answering a question he became a witness, and sometimes a complainant.

a complainant. What must this be?—From the evidences of the said Wuyed and others, which you took, and the book produced (a forged one), names of other witnesses come out. They were to be called on, and proofs from certain papers sent for and examined, but you have not done so; and you intend to forward on to Government an imperfect case; this makes me helpless. But what I am obliged to solicit is, that if you pass on the case to Government after sending for and examining into the evidences of proofs, as per accompanying memorandum, it will all be clear. I urge this, because you will afterwards have to take trouble, owing to the imperfect case.

It is very strange that you have carried on the case of this complaint. This is as follows:—Ten years have elapsed as to the subject of complaint the petitioner mentions, while I have been not of the Government employment since the last eight years. Why was not the complaint preferred for so many days? If her claim was right there was no difficulty whatever for her complaining. I never heard whether the surkar did, after hearing one's complaint against another thrown out of service seven or eight years before, institute such an inquiry into it as in the present case. I think you have been obliged to trouble yourself, owing to the force of my enemies' fortune. It appears only from what Saheb Ba has written, that she has no authority during Tukhut-ranee's lifetime; and further, that as she had to make the adoption, she had the necessity of giving the money, and so she has given them; while Bhawa-bhaee states, that when Jalum Singjee was seated Tukhut-ranee expended 7,000 rupees; this is false, because, in Jalum Sing's time, Maha-ranee, the mother of Tukhut-ranee, paid rupees as nuzrana to the Gaekwar's Government. The said Bhawa-bhaee also declares, that when Saheb Ba demanded money from Tukhut-ranee, she said if she were to give her rupees by placing her two jewels, how would she maintain herself. From this it clearly appears that Tukhut-ranee did not pay anything; such also is seen from what Tukhut-ranee has written. While from the evidences of Khoshal Wuyed and Bhawa-bhaee, and seeing certain rupees (forged entry) credited on account of Tukhut-ranee in the fabricated book, some money appears belonging to the latter, but no positive place can be ascertained from whence they were brought. The petitioner claims from writing down as she likes money entries, without fearing from any one. You should therefore take into consideration the understanding on which she does so. How will the money of such a false claim be proved?

2. Bhawa-bhaee writes that Tukhut-ranee, being a respectable woman, has not complained against any one. Such a falsehood he writes. But proofs of her complaints to the Bombay Government, after her losing her Raj, and after my being out of employment at present there, and in the Rewa Caunta Agency, among the records of A.D. 1844. At last an order, No. 256, dated the 20th February 1844, was sent to her (Tukhut-ranee) by the Saheb (Political Agent), stating, that after inquiring into her complaint for bringing against the office carkoons, a report was submitted to Government, to which a reply was received, to the purport that she was a seditious woman, and should therefore go out of Bhadurwa. Such was her respectability. If she had truly given me these rupees, what objection was there for her complaining against me too at the time she did on all carkoons? You will perceive, on considering the above, that the claim against me is false. Other carkoons were in service when she petitioned against them, while I was not. What modesty had she for me that she did not complain?

3. It is proper for you to consider why did not that knave Kooshal Wuyed complain against me, if the claim was just, when he again petitioned against the office people before Thomas Ogilvy?

4. The said Wuyed also complained against the office carkoons before Mr. Mansfield, and produced fabricated books, at which time, too, they (the Wuyed and others) were driven out, having been considered cheats and liars. The book now produced is one of those formerly produced before that gentleman, and which were all returned to the Wuyed at the Pundoo camp; but its leaves were not then so torn and inked as are now. It is a joint book, belonging to Deveedass and the Wuyed, which was seen by me on being shown to me, when a dispute was going on between them; its leaves then were not torn and inked, and further, the office people and Nursoopunt's son spoke ill of me at the time to the Saheb (Mr. Mansfield), for which the latter was very angry with me. If the money for this dispute were truly due from me, a complaint would have instantly been made; because they said they received an improper answer from me during the years St. 1900 and 1904 (A.D. 1843-4 and 1847-8), while, afterwards, the Wuyed and others were every year making petitions. Who was then preventing them complaining against me, in spite of my not giving them proper answer, that they did not do so? If you consider upon this you will know that their complaint is a false one.

5. The petitioner, in her deposition, shows a book, and names Bhawa-bhaee and Khooshal Wuyed as witnesses as her proof for giving money. These latter being men of the petitioner's house, have, with an unanimous opinion, brought this imposture on me. In their depositions some dissimilitude seems to have been caused, which, if viewed by you with a minute attention, it does not appear through justice there would remain any necessity hereafter to urge forward the case. The strongest proof the petitioner has, is that private forged book, which, if properly scrutinized, it will be observed the false accusation has been raised through enmity. It is thus: The petitioner says, in her representation, the book is her private one; but looking at the receipts and disbursements entered therein, it cannot possibly be conceived whether their adjustment was made in the private book for St. 1897. (A.D. 1840-41) on the very same day. 2dly. Several entries of the receipts and disburse-

ments in that book are made by Khooshal Wyed's son Behehur. He must be 10 or 12 years of age during the year for which the book is made, and was not therefore so conscious as to write; and if he were so, entries of his hand-writing, made in a current line in the middle of the books for the same year, belonging to Daveedass Jetha, partner of the Wuyed, should be shown. 3dly. In the private book of Saheb Ba's there was no necessity for the Wuyed to enter, without any details, abstracts of the receipts and disbursements of Buhidura, of two years during Jalum Sing's time; but only from falsity to make up the item of Rs. 2,111. 4. which has been drawn on Cartick Sood 2d, St. 1897 (A.D. 1840-41), and from the deposition of the Wuyed, it has been proved the amount of balance was clearly put wrong; and moreover, how can the whole receipts of Buhidura come on this Saheb Ba's private book, as the management was conducted by her mother-in-law? Also the petitioner herself stated she had no authority whatever; it is therefore to be taken into consideration how the balance of Buhidura would have come (in Saheb Ba's book). 4thly. The adjustment of the money is made by Khotaree Duyaljee Munoredass, a poor villager, who being unacquainted with the Government's regulations, and induced by the offer of 251 rupees, and also on being told by the petitioner and the Wuyed, wrote the receipts and disbursements in a forged book, in four or five days during last Aso (October), with the assistance of the Wuyed's son Behehur, according to the dictation made to him, and gave the deposition when he came to the hoozoor, just as he was persuaded by the Wuyed; but on being made known afterwards of the punishment the Government's regulation award, and to save himself from the sirkar's fear, presented before the sirkar (Resident) through Soorujram, and disclosed truly the whole fraud, but owing to my fortune days his statement must have appeared to you false, and so you have imprisoned him who is poor; while it seems you do not take into consideration the conduct of the fabricator Khooshal Wuyed, who still again arises new frauds in the city, with continual assistance from the people of both the durbars. You always say orally, by looking at the past correspondence, that the Wuyed is not a true man; never mind; but it clearly appears, if attention is paid on the note produced by Duyaljee, that the petitioner and Khooshal Wuyed have committed a high offence; and they have acknowledged, in their depositions, that the note in question is written by them, wherein it is plainly mentioned "that the above 251 rupees will be given to you when the money from the business which is contemplated are received." It is dated Cartick Sood 2d, 1907 (A.D. 1850-51); and when it was shown to the petitioner by carkoon Wamun Rao, by order of the sirkar (political agent), she stated it was genuine, and acknowledged that the rupees would be given from what were to be received. Thus clearly she said; while Khooshal Wuyed deceitfully states, in his deposition, that the business contemplated is the marriage of Baeejee, and where the money is to come is from whence the debt is to be incurred. This he says is his internal thought. Again, he said Baee and Jalum Singjee owed Duyaljee five years' pay, and as the latter was every day dunning for it and doing business for the Baee, one day on his having remained fasting up to noon, and therefore taking into consideration the business he was performing, and pitying he had nothing in his house to subsist upon, a note was written for his pay and given him. Also he stated he forgot mentioning in the note the circumstance of the service, that Duyaljee never petitioned nor sat dunning; and further, that Tukhutra-nee, at the time of expiring, asked Saheb Ba to promise her if she would pay to Duyaljee, when she could, the arrears of his allowance, to which she replied, no heap was to be received from the State; but that, when she borrowed 10,000 rupees from some one, at the time of Baeejee's marriage, she would pay from that. Such a promise was given, and therefore the note was written. Again, it is said by him that when Duyaljee greatly persisted, Saheb Ba, with an angry look, caused the note to be written; besides, it would seem improper if the circumstance of the service were openly mentioned in the note; also he said a great many lies, which if detailed would be too long, and I have therefore written in short. His evidence contains the whole of his falsehood, which must have come to your notice; but they (the Wuyed and others) have no fear whatever from the surkar, owing to the support from the people, for speaking to or writing lies before it, and therefore they write as they like, and it is very surprising that you do not find faults with them, and trouble yourself.

If you pay attention on the above articles with good intentions, it does not appear there would remain any necessity hereafter to urge forward the case.

1. Looking at the book produced, the entries credited therein of the sums received are forged. The circumstance is as follows:—1st. The book was fabricated in last Aso (October) by Duyaljee and the Wuyed's son, according to the Wuyed's dictation; the heading of the book was for Sumt. 1896 (A.D. 1839-40); the Wuyed told Duyaljee to write in it accounts for Sumt. 1897 (A.D. 1840-41), which the latter refused, when the Wuyed altered, with his own hand, the number 96 for 97, which distinctly appears, and entered therein Rs. 2,111. 4. as balance on Cartick Sood 2d, Sumt. 1897 (A.D. 1840-41); but he and the petitioner do not show the proof required from the former year's book. The Wuyed verbally said there was a balance of Rs. 2,066. 8. 6. in deposit, on account of the village of Buhidura, for the years Sumt. 1895 and 1896 (A.D. 1838-39 and 1839-40), to which some rupees from the house were added, and brought over the balance on Cartick Sood 2d, Sumt. 1897 (A.D. 1840-41), of Rs. 2,111. 4. At the bottom of the book are copied by some one the accounts of Buhidura, for Sumt. 1896 (A.D. 1839-40), showing no balance whatever therein for Sumt. 1895 (A.D. 1838-39). An item of Rs. 1,033. 7. 3. has been credited for Sumt. 1896 (A.D. 1839-40), as having been received through Seith Toolseedass; deducting therefrom Rs. 947. 11. expended on account of Tukhut-ranee, a balance of Rs. 85. 12. 3.

has

has remained. It clearly appears from this that the entry of Rs. 2,111. 4. as balance, has been fraudulently entered by their own hand-writings. Further, he (the Wuyed) stated in his deposition that the receipts of Seera, including those of Buhidura, amounted (for two years) to 3,600 rupees, being 1,800 a year; of which, deducting 1,800 rupees as expenses for two years, at 900 a year, 1,800 remained as balance. He verbally speaks false and causes it to be written, but he has no accounts whatever. Thakore Jalumsingjee was alive in these two years, when the petitioner had no authority to receive the rupees from Buhidura; and if it (Buhidura) were assigned for the household expenses, the expenditure would have been made by Tukhutranee; that therefore, if you call Toolseedass Saith, and send for and examine the accounts for Sumvuts 1895 and 1896 (A.D. 1838-39 and 1839-40), you will thoroughly be convinced that the balance which is false, is so. At the time Duyaljee wrote accounts in the book, those of Buhidura for Sumt. 1896 (A.D. 1839-40), were entered by Saith Toolseedass and Geerdhur; but there was no abstract in the book of the accounts of Buhidura for Sumts. 1895 and 1896 (A.D. 1838-39 and 1839-40), which is now entered afresh by Khooshal Wuyed's hand. It clearly appears, from Duyaljee's statement, that during the years Sumts. 1897 and 1898 (A.D. 1840-41 and 1841-42), when he was in Baee's employ, no entry of any large amount has any time been entered by him. If you, therefore, take this circumstance into your consideration, you will know the petitioner and the Wuyed to be inventors of forgeries.

2. Nine hundred and 1,175 rupees are credited respectively to Sha Bheekha Narayen and Muckunjee Hureebhaee. These rupees belong to Tukhutranee; but she, it clearly appears from the statements of Bhawabhaee and others, has positively refused to give money. Why does the petitioner, then, credit in her private book ready money on account of the above two persons? If the money were received in cash, and given by Tukhutranee, the same should have been credited to the latter's account; but they have not been received, so the items have been adjusted; but either the petitioner or the Wuyed has deceitfully caused the money to be credited in cash on account of Tukhutranee, in Muckunjee Hureebhaee's book. The item of 1,175 rupees the Wuyed has debited to Muckunjee, in his (Wuyed) and Deveedass' joint book, at page 19, and credited the same and Sha Bheekha's 900, amounting in all to 2,075, to Tukhutranee, at the same page, in the same book, on Maghshur Vud 30, Sumt. 1897 (A.D. 1840-41), while Muckunjee has falsely entered (the item) in cash. He is therefore liable to be punished for having committed a forgery. The above two items have been adjusted; no one has received in cash. Khooshal Wuyed says, he having caused adjustment to be made on account of the two Banyans, received 900 rupees from Bhawabhaee, and paid the same to Tukhutranee. Bhawabhaee deposes that he has an account current with the Wuyed for 200 or 400 rupees, that he possesses no bond for the 1,900 or 2,000 rupees he has given, and that there are no books at his house, but he has bonds in his possession for the items of about 1,375 and 750 rupees he afterwards paid the Wuyed. In Bhawabhaee's account, among the books the Wuyed has produced, there does not appear to have credited, in the month of Maghsur, the item of 1,900 or 2,000 rupees; nor does Bhawabhaee say anything about his having given 900 rupees to Khooshal Wuyed, which the latter said he received and paid to the Baee. The Wuyed, too, has not afforded credit for the money he said he brought from Bhawabhaee. The papers therefore prove that the item of 2,075 rupees is also quite false as the above, and it will easily convince you that it is so.

3. It is mentioned, in the fabricated book produced, that 3,201 rupees were brought from Heemutsing; but there is no proof for it. Heemutsing was the father of Saheb Ba; he is dead, and therefore his name is falsely written and credited (money) to him, as his evidence is not to be obtained. He was dying for hunger, and so he generally used to reside in Bhadurwa, when Tukhutranee supplied him with cloths, &c.: this is known to every one. The information you sent for and obtained from Broach, of his wealth and income, shows plainly there are no books at his house. I do not at present explain the circumstances as to the manner in which the information of his wealth has been obtained. I leave it for the future; but the depositions of the petitioner, Khooshal Wuyed, and Bhawabhaee, will satisfactorily prove difference and falsehood as to the information regarding Heemutsing.

4. Two thousand rupees are credited in the fabricated book, on account of the petitioner's sister, but you do not call her and take her deposition; and moreover it will clearly be seen, from the depositions of the petitioner, the Wuyed and Bhawabhaee, that the money have not been received from Sooruj Ba. The sister's name is just as falsely entered as the father's; but there is no proof for her having given the money, except that it has been caused to be written in the book by Cotharee Duyaljee. Supposing this to be the proof, the fraud has been committed. When the Wuyed was not punished for the false deeds he performed as he liked, his expectation for committing frauds has been increased; and why will it not, when great men combine to give assistance to him? In this manner the above rupees have been openly and falsely credited in the book. As she (the petitioner) would not therefore get the money, how could she have given them? If you minutely take this into your consideration you will, it appears, have no wish to trouble yourself any further.

5. The complainant plainly writes in her petition that she, according to the custom of the Raj, adopted from her brothers (near relatives) Bapoosing, placed him on the gaudee, and wrote a letter to the Saheb (Political Agent) to obtain the sanction; and in the deposition, that Baba's advice was asked and then the adoption made; that the person who went to ask his advice was either Bawabhaee or the Wuyed; and further, that her mother-in-law went to ask, and that to ask and to make an agreement is the same thing. Khooshal Wuyed said

that after having made the adoption according to the custom, both the Baees sent him and Bawabhaee to Baroda; and further, that Heemutsing and Keelansing had gone to Baroda to ask advice, before the adoption was made, and other falsehood besides. Bhawabhaee said, as he was not trusted, Saheb Ba's father, Heemutsing, had gone and spoke other lies; such should have come to your notice from the depositions of these three persons.

6. The petitioner said in her representation, I told her that if she gave me 12,000 rupees I would persuade the Sabeb (Political Agent), and cause her adoption to be sanctioned, and in the deposition, that she never personally talked to me. Khooshal Wuyed stated, that after having made the adoption according to the custom, both the Baees sent him and Bhawabhaee to Baroda to cause the same to be sanctioned, when I demanded 12,000 rupees from them, to which they answered in the affirmative, and asked to allow the adoption to be made, and cause it to be sanctioned by the Saheb (Political Agent). He further said, that when he, Tukhutranee and Bhawabhaee went to Baroda for obtaining the sanction, after the demise of Kurunsingjee, I wanted 12,000 rupees, which they acknowledged to give on my telling them I would return the same if their business be not accomplished. Bhawabhaee said that Jalumsingjee's second wife, Behenjee Ba, being his niece, he was not to be trusted, so that Saheb Ba's father, Heemutsing, went to Baroda, and on his return informed Tukhutranee he promised to pay me 12,000 rupees, and that I gave assistance to make the adoption. He also stated, that when Tukhutranee went to Baroda, after making the adoption, I wanted 12,000 rupees, to which she replied, 10,000 rupees have at first been settled to be paid to me, that Bajeebaee, of Barrea, was a witness to it, and that she possessed a writing too from him to the effect, which she would give me if I ask. I then asked when she would give (money), and her answer was, that she would make it up during the cold season; such a false accusation has been made; conversation in regard to bribery is always held secretly, and it is therefore to be considered by you, whether a boy of five years of age will ever pass a writing, or keep a witness before receiving (any bribe). Bajeebhaee and Tukhutranee having died, a letter or a false writing may in any way be written or made in their names, as their evidences are not to be obtained, and that there is no one to prevent it being made. Their (the complainant and others) frauds therefore require to be attended to.

7. It is stated that 8,800 rupees, in four items, were paid; it is all false, as will appear from the papers in the Surkar's (Political Agent's) dufturs, their (the petitioner and others) depositions and other proofs. The circumstances are as follows:

8. The complainant said in her petition, that she sent me 8,800 rupees, in four items, on my having satisfied Khooshal Wuyed, and debited the same in her private book, while in her deposition she stated she paid me the money when the Sahib's camp moved to Bhadurwa; and further, that her mother-in-law went to Baroda, made arrangement with me to cause her son to be succeeded to the gaudee, and settled to pay me rupees. She then sent for and obtained money from her father and sister, to which she added what she had, and reckoned the same in her mother-in-law's presence, and gave to the Wuyed and Bhawabaee, who paid them to me in the dhurumsulla, where I had put up, and also sent to Baroda, altogether in four items, namely, two in Bhadurwa and two at Baroda, but she remembered not, she said, how many at each place. It is therefore very surprising, that she who is the owner of the money knows everything of the false accusation, and nothing about the amounts. The reason is, that as the complaint is false, she will be enwrapped if any difference occurs in the items, and therefore she, knowingly, says she knows not. She also said, the first item was made up by selling her jewels, that she gave it from the balance in deposit; further, that the proofs for her having given the money were the witnesses and the book, written by Duyaljee, that the rupees had been entered by her in her presence at the very time she reckoned them out, and lastly, that she, her mother-in-law, Khooshal Wuyed, Bhawabaee, and Duyaljee, were all present when the entry was written in the book.

9. Khooshal Wuyed stated that 8,800 rupees were paid through him in four items; that Bhawabhaee was with him; that he received the first item of 1,700 rupees from Tukhutranee. The items of 1,175 rupees and 900 rupees, making in all 2,075, were received respectively from Muckunjee Hurreebhaee and Bheekha Narun, the same being due by them to Tukhutranee. Another item of 3,201 rupees was sent for and obtained from her brother, Heemutsing, and another of 2,000 from Sahibba's sister, Soorujba, the same being the latter's private money. When they had been summed up, an item of 4,500 rupees was first given (to me), and afterwards another of 525. Again, he said the father and sister sent (the money), and further, that they were brought by them. That the two items of 1,700 and 2,075 were paid to me by him and Bhawabhaee respectively on Maghshur Vud 14th, and the next day, at about midnight, when in the Bhadurwa dhurumsulla. Afterwards I fell sick and proceeded to Baroda on leave, telling them they should bring the other rupees at Baroda and give them to me; so they took with them 4,500 rupees on horseback, came to Baroda, and paid the same to me on Poush Sood 2d, in an old house, in the garden to my house. Again, 525 rupees were brought from Bhadurwa and given to me at the same place. At this time Bhawabhaee was with him. He also said that the item of 525 rupees was given four or five days after that of 4,500; that two or three days after he gave the latter amount, he went alone to Bhadurwa; Bhawabhaee was not with him. Baee then gave him 525 rupees, which he brought to Baroda and paid at my house. He said the first item of 1,700 rupees was given to him by the Baee from the house. This Baee, it clearly appears from the Wuyet's statement, is Tukhutranee. He again said he

was

was not present when the money was entered in the book, while a memorandum of the rupees given was made by him, from which he or she (who) wrote that on Poushsood 3d or 4th; he gave a memorandum of the three items, and the last item was verbally dictated by him; that he knows not where the account paper is, and that he declared on oath the writing in the book was seen by him in Sumvut 1898 (A.D. 1841–42), and not before that.

10. Bhawabhaee said that 8,800 rupees have been given in the month of Maghsur Sumt. 1897 (A.D. 1840–41), 1,700 rupees on Maghsur Vud 14th, and 2,075 on the next day in the Bhadurwa dhurumsulla, at one pahor at night (nine o'clock); afterwards, on Poush Sood 1st, he and Khooshal Wuyed came to Baroda, and on the ensuing day paid (me) 4,500 rupees, and 600 or 625 on Sood 6th, in my house; who else there was he knew not. He also said they were given (to me) by him and Khooshal Wuyed at Baroda, at 10 or 11 at night, in a room to the left side, while entering the gate of my old house, purchased by Gujra, the door of which (room) is situated in an easterly direction; that his nephew, Naranjee, who was with him, stood at some distance; that I was then alone, and I stood on the threshold of the rear door, and that I received the money and kept the same in the house. He again said, that after giving 4,500 rupees, Khooshal Wuyed went to Bhadurwa, and on his return, in four or five days, he paid the last item, and afterwards both of them proceeded to Bhadurwa. On being questioned, whether he remained at Baroda after giving 4,500 rupees, he said he did for a fortnight, on account of a mohsul being imposed upon him. He further said the last item given was of 500 or 525 rupees.

There being such a discrepancy in the statements of these three persons, it appears their assertion for having given money is openly false. As the entries on the credit side of the book have been found to be wrong, there is no doubt those on the debit one are also such. This is a point for you to consider upon. The difference shown in their depositions openly confute their telling that the money were credited on receiving, and debited on paying. Duyaljee Cotharee being induced, by receiving a note for 251 rupees, wrote the book in the month of Aso (October) last, according to the Wuyed's dictation. It is in detail, showing the name, place, through whom (the money were paid), and dates. The reason why there has happened so much difference between the depositions and the book is because the story containing sin will no longer be kept secret. This should be viewed by you with attention. The following sums have, in detail, been falsely debited in the book on my account, in the months of Maghshur and Poush.

Rs.

3,775 to Rajaishree Veenayek Moreshwur, *alias* Baba Sahib.

Rs. 1,700 paid in cash on Vud 14.
2,075 in cash.

Paid by Vuyed Khooshalbhaee on Maghsur Vud 30th.

4,500 to Rajaishree Veenayek Moreshwur, *alias* Baba Sahib, on Poush Sood 2d.

Rs. 4,500 paid in cash by Vuyed Khooshalbhaee and Bhawabhaee.

525 to Rajaishree Veenayek Moreshwur, *alias* Baba Furkey, on Posh Sood 8th.

Rs. 525 in cash, sent through Wuyed Khooshalbhaee and Bhawabhaee.

Thus it is written in the book; it is therefore to be considered by you, that if the case of bribery were true, have such accounts anywhere been seen or heard of? Hurreebhugtee's Setanee Joyteebhaee's case was lately going on in the residency, and (in the books) lacs of rupees for bribe have been entered on account of Sittee (line), which the shroff declared were fraudulent entries. The books show no name or place of any person, while false entries have been debited against my name, and a fabricated book produced, and therefore you take great pains. They (the Wuyed and others) experience no difficulty in inventing such a forged book, as he who is modest has every kind of difficulty. You carry on the case by considering that book as those in possession of all the respectable and wise shroffs in rank with Atmaramsha. I therefore humbly beg to state, that if you compare the forged book lately invented with the depositions, their fraud will openly come to light. You who are impartial will, of course, find out the knavery of those who accuse (me) wrongfully from the papers in the Surkar's records; but I explain plainly in a manner that it may be understood by the ignorant men, that the knave Wuyed, who raised this disturbance, has been advised in the matter by persons holding high appointments; to this there is no doubt, as it clearly appears so from the wording of the petition. It is true that the Kamdars are where the Saheb's camp is. The book has been made up by keeping in mind the month (they were at Bhadurwa), and false proofs stated for the items paid in Bhadurwa and Baroda, which have been disproved from each other's statements. The proofs in the Surkar's office records to refute them also are as follows:

11. Bhawabhaee and others stated that two items, one on Posh Sood 2d and the other on Sood 6th, were given in Baroda. I was servant of the agent's, whose camp was then at Bhadurwa. Bhawabhaee was also there on Posh Sood 6th; he and Kaleedass, who were Nishadars for the state, paid, in presence of the Rewa Kanta agent, 481 rupees 11 annas, on account of the jumabundee bond, and received an acknowledgment for it, No. 2,154, dated 21st December 1840: *vide* the diary. On the same day (Posh Sood 6th) they gave to the Sahib a Nisha bond for Sumvut 1897 (A.D. 1840–41), as per received, No. 2,743, in the inward book. It is signed by Mr. Remington. On Wednesday the Posh Sood 7, an order, dated 30th December, No. 2,161, has been sent on Bhawabhaee regarding arrange-

ment for his niece Behenjeeba, married to Thakore Jalumsingjee. He was at Bhadurwa at the time. On Thursday the Posh Sood 8 (31st December 1840), he presented to the Saheb, at Bhadurwa, a yad of two paragraphs, requesting that, as the ryots of his purgunnahs were absolute, securities should be taken from them, and that Runna Runchorejee and Kuleeja Narayenjee should be caused to pay the amount of tribute due from them. It has received No. 2,761 on it. Bhawabhaee was present too at Bhadurwa on Posh Sood 2d, being a holiday on account of Christmas. On Saturday, the Posh Sood 3d, he submitted a yad to the Saheb, requesting recovery of 800 rupees from Ranna Jorbhaee, the same having been taken or collected by Baee Sujanba from the village of Jaspoor. It is entered on 26th December 1840, No. 2,731. On Posh Sood 1st, an order, No. 2,135, has been sent on Bhawabhaee to pay up and adjust the account with a corn-dealer of Baroda. It plainly appears, therefore, from the office records, that Bhawabhaee was at Bhadurwa on the days it is falsely asserted that two items were given to me at Baroda. It is for you now to consider how could he and the Wuyed have paid me the money as is said by them. He declared he was at Baroda for a fortnight on account of a mohsul being imposed on him. A mohsul from the agent must have been on him, but as the Saheb's camp was at Bhadurwa, whom did he come before at Baroda on account of the mohsul, and what was the necessity for his coming? He was at the time performing the business of the Carbharee on account of the demise of Jalumsingjee, the owner of the Raj, and the Saheb had encamped at his village. If the Carbharee were then out to some village, he would have instantly come there for business, and to make arrangement for the Sowaree. How could he have, therefore, remained at Baroda, as is said by him? Moreover, the succession case was going on there, and his attendance was of great consequence. His telling he was at Baroda is, therefore, quite false; and this too should be considered by you. How could he, on being at Bhadurwa, have come to Baroda to give me the money? In a similar manner Wuyed said he and Bhawabhaee went and paid me (money); Bhawabhaee being at Bhadurwa, who was it that accompanied him (the Wuyed)? I, being the Saheb's servant, was also with his camp. I performed business in the office on the very days it is said by them in their depositions they gave me the money; proofs for it have been pointed out (by me) from the office records. Moreover (if further proofs are required), myself being the dufturdar, the dates on all the letters dispatched during the above-named days have been entered by my hand, and the signature made by Mr. Remington. If you are desirous to see those letters you should send for them, when their (the Wuyed and others) whole misrepresentation will appear to you. How much shall I say to you of the mendacity of those knave people. It has already been found out from the papers they have produced in this false accusation, and you have been satisfied with it. I do not, therefore, trouble you by writing any further. The money claim is groundless. I know nothing about receiving (the money); false witnesses and proofs have been produced in regard to the fabricated charge brought on me; but God being the protector of the true man, their falsehood has been openly found out. There are many other proofs to prove their (the Wuyed and others) assertion to be false; but I do not at present produce them, as their* he has already been proved against them.

12. The complaint which Khooshal Wuyed (a rogue, liar, and chief adviser of Saheb Koover) made to the Surkar, has been proved by his own hand-writing and the book to be wholly fabricated; but as he has not been punished, his desire for committing similar frauds is increasing. It came to my knowledge a case was going on in your office, in which he accused wrongfully such a respectable shroff as Gurbhoo Sukhee for jewels. From this and the past correspondence you would have been made known of his descent (or nobleness). He is the very man who has brought this false accusation on me; what shame has he in fabricating a note? He may do according to his custom; but the petitioner said nothing about the note since you received the petition until you carried on the case in the month of November, and again took down the evidences in March. She said in her representation that as I was a Government servant it was not customary to give a writing; but the rupees were paid (me) on my satisfying Khooshal Wuyed. On this I questioned her openly that I gave bonds to those from whom I received money during the time I was a Government servant; she in answer to it said I would have given her (a writing) also; and when asked to produce the same before the Surkar, she said she would do so; she had it not then by her, and again said she would show it on the next day (to-morrow) if she possessed it. The only reason for her telling thus was, that her supporters had not on the day the questions were put to her prepared the forged note, and therefore she could not produce it; but she may have done so after it must have been prepared. The Government law is, that if during an inquiry into such a case conversation were to touch upon any bond, it should immediately be sent for; but you have not done so, and it clearly appears the supporters would have in the meantime fabricated the note and produced it; but God having a proper measure to weigh the truth and fiction, the petitioner could not say whether she got the note written, or that she possessed it; when asked by you for the proof that I received the money in my hand, she showed the witnesses and the book, and nothing else; on being questioned on oath whether she had any conversation with me on the subject from before up to the present day, she answered in the negative. How would the deceivers Khooshal Wuyed and Bhawabhaee have remained without causing a mention to be made of the note in their depositions if it were a genuine one? It is necessary for you to pay attention on this point. In answer to the question proposed by you to Khooshal Wuyed, why the complaint was not preferred against me when I was in the service, he said I was in the service two years after the money were paid me, when I used to say to him that his business has been undone, but I would

talk

talk to the Saheb and get it improved. He falsely stated that I counselled him in this manner. His business was to obtain the state for Bapoosung, but that the Surkar had made it over to Surdarsung; what there remained then in my hand to improve for him? Mr. Remington was at that time the Political Agent, who through the persuasion of the office people, had such a harsh look on me that I was unable to compliment him even once in four months; this is known to the Surkar and the world. It is therefore proper to be considered by you what improvement I was to make in his (Wuyed's) business, by telling the Saheb (Political Agent). He also said he, Tukhutranee and Bhawabhaee came to Baroda in Sumt. 1900 (A.D. 1843-44), after I was out of employment, and demanded money from me, when I told them they would not get if they disgrace me; that they came in Sumt. 1901 (A.D. 1844-45), and demanded (money), when I made a promise of two years; that he came alone in Sumt. 1904 (A.D. 1847-48), and did so, on which I said I had no money, he might do as he pleased; and again he stated he came to Meonee to demand money, when I said I would not give a budam; that he was confounded on receiving such an answer from me, and because he had not taken his supper the night before, and other falsehood besides. Lastly, he said he was engaged in business on account of Tukhutranee's demise, but as his (it should be Saheb Ba's) daughter was to be married, and money required on that account, he submitted a petition to the Surkar; he thus troubles you by invention. Saheb Ba has lately produced a forged note, dated Posh Vud, 11th Sumt. 1900 (A.D. 1843-44); had it been a genuine one it ought to have been produced before. If you pay attention on the annual detailed statement made (by the Wuyed), from the time I was a Government servant up to now, of the money demanded, it will appear his words alone make the note false. They (the Wuyed and others) also said that on every occasion when they came to demand money, I gave them a clear answer that nothing would be received by them from me. If, therefore, they possessed such a note written by me, what difficulty was there for them to complain against me on the subject, when they used to do so frequently on the office kamdars and others? If this is taken into consideration, it will clearly be perceived the note in question has been fabricated. Bhawabhaee declared when he demanded money from me on account of chandla to be made to Baeejee, I promised him to pay up in a fortnight. I think he must have gone in about Sumt. 1901 to make the chandla, and he said he could not get money even for that purpose. As the forged note appears to have been dated previous to his going for the chandla, what difficulty was there in preferring a complaint in lieu of that bond. Khooshal Wuyed acknowledged to have received a debt of 420 rupees from Jemadar Husunkhan, but that it was not through me; never mind, proofs are ready for it. If I was properly in debt for these 8,800 rupees, what necessity was there in employing the Jemadar and receiving a loan from him? and what objection was there in receiving the same from me? Khooshal Wuyed said his (it should be Tukhutranee's) Nemnook was to be received from me on account of my having given Nisha for Bhadurwa. This is quite false; the security bond and the agreement paper written by the Wuyed are present; Tukhutranee's Nemnook has no relation with the latter document; she may require it from Surdarsingjee; but as delay arises in receiving from him, and as the Jemadar was demanding money from her, she caused the Wuyed and his son to write entreating letters on me; these have been produced. Why did she write such letters on me if the money for the false claim were true? A letter from Tukhutranee, dated Fagun Sood 1st, Sumt. 1904 (A.D. 1847-48), has been received by me, begging me that, as she has to go to the pilgrimage of Duriaee, and as she has not 200 rupees which are required to be expended, I should pay the same amount to her on loan, telling me she would immediately return them on receiving her expense money, and other entreaties besides; but I did not pay her the money at the time. The letter in question has been produced before you; why should she have written such letters full of flattery, and wanted the rupees from me on loan, if the money for the false claim were true? and why did she not then complain against me for the rupees if I really owed her? This point should be taken into consideration by you. I requested you in person to translate all the papers they (the petitioner and others) have produced, which when done, and attention paid on them, it would convince you of the mendacity of their fabrication. Besides, Khooshal Wuyed is the chief of impostors, who not fearing for the punishment for improper actions, ventured to invent a note while the case was going on, and produced it. You received it, and proceeded with the inquiry; but owing to the justice administered at God's dwelling, he (the Wuyed) has been misled in fabricating the note to the address of Tukhutranee instead of hers, in whose name the false complaint has been made. In this, too, he has been misled by God for his sin; that if he had recollected of the letter written on me by Tukhutranee, he would have contrived another way and committed the fraud; thus the trick is. You did not, however, take it into consideration, and called direct from Kana two men to inquire into the note; one of them I heard was Vukhutsha's goomasto. The inquiry which should have been instituted in my presence was made directly, and I was therefore helpless. You would have done what must have come in your mind, but you did not acquaint me up to this day whether they considered the note to be genuine or otherwise; I therefore personally asked you on the subject, and you answered that I would not be made known of it. Hearing this I sat in a forlorn state; never mind; but the men you called were not of high rank fit to inquire into such a case; though they had not performed valuable services, and were they of mature age, it does not appear whether many cases such as the present one would have come to their notice. It is all right if they have given a just and proper opinion, considering the proof on their honour; and if they may have, on the contrary, acted partially, I would inform the Surkar of whatever they may be, after being made known of their decision, because such forged papers are made by rogues,

and gentlemen of high authority cannot even find out the fraud. I tell you an instance: a dispute about adoption is going on for the last five or seven years in the Guicowar government and in the Residency, between Jumnabaee, wife of Keshowdass Khooshalchund, of the firm of Khooshalcund, Umbaeedass, and Damodur Keshowdass. The case has been inquired into by Messrs. Boyd, Arbuthnot, Andrews, Colonel Outram (Residents), and Nurso Luxmun, the native agent, but no one could perceive the fraud committed by both the parties in regard to writings; when the Government appointed a committee of a principal and two moonsiffs, and entrusted to them the inquiry into the case, they then found out the fraud committed by the complainant and the defendant in their writings, and reported the same to Government; such experienced men are required. If otherwise, the Surkar would not be convinced of the genuineness of the note from the conduct and the descent of the Wuyed. The cheats are not to be trusted. The Wuyed is originally an inhabitant of Kupurwunj. I hear that in Kaira and Ahmedabad zillahs, many people are cheated by rogues of the kind. I have written this for information, because there are many impostors in company of the Wuyed. It is therefore proper that you should take the above circumstance into consideration, and inquire it minutely.

13. Previous to his preferring a complaint for 8,800 rupees, Khooshal Wuyed, with a view to bring forth a similar false accusation, appointed Umoolukram as his vukeel, and passed a writing to him. He caused him to prepare draft of a petition, in which he (Wuyed) made many corrections with his own hand. Umoolukram hearing that the Wuyed meant to commit a fraud, gave me the above three papers. On my producing the same before you, you called the said Umoolukram, and took down his deposition. In answer to the question put to Khooshal Wuyed on the subject, he falsely stated the writing was like his, but not his; that there was a line drawn above S. S. in it, while he never in his lifetime has done so; that he by order of Saheb Koover had appointed as his vukeel Umoolukram, residing in the camp; that he only passed him a vukalutnamoo, and that "he (Umoolukram) did not do anything for me, nor I gave him any. He is unemployed as well as Baba, who knows whether they have not committed any fraud; I have not given him any other thing besides a mookhteearnama." He again said Umoolukram did not make any petition for him, nor a draft of it; he also said a separate writing has been passed to the effect that on his business being accomplished, he (Umoolukram) would receive as reward so many (rupees); that he did not remember the amount, and that the writing was in the name of Umoolukram's son as servant; that Umoolukram said he would make the petition on being paid half the amount agreed, but it was promised that the amount in cash as decided would be given in 10 days, while Umoolukram agreed to receive in ready money, and he (Wuyed) said other falsehood besides. You should consider only from what he says whether he speaks truth or otherwise. At first he acknowledged one paper and then another, on being warned by some person. He first said he went to make arrangement for Tukhutranee's seer, that he made Umoolukram his vukeel for his business by order of Saheb Koover, and that he did not in his lifetime draw a line above S. S. After thus stating falsely, he, while making his signature at the bottom of his statement, drew a line above S. S. You then showed him what he had done, repeating his words before him, that he used to say he never in his lifetime did so. His falsehood was thus made known to him, but he has no shame whatever. He stated he had employed (Umoolukram) as vukeel for his business; he acknowledged to have passed the mookhteearnama, in which he plainly mentioned he has petitioned the Surkar in regard to the Bhadurwa Gaudee. In the draft of the petition made, he has made corrections with his own hands; is it therefore not astonishing what he said that the draft has not been made? He is always accustomed to tell lies, and you hear them too; what further shall I say? As Lalla Hurlall was always visiting me, his and my names have been entered in the draft; but Umoolukram demanded the money, knowing the circumstance to be false, because whatever received in hand would be profit. The Wuyed did not pay the money, so the petition would not have been made. Lalla Hurlall having joined Khooshal Wuyed procured him visits to men in authority, and having given him hopes of obtaining the state, put off Umoolukram's petition, and caused him to prefer a false complaint against me for 8,800 rupees. Having heard this, I told Lalla Hurlall, "What are you causing such plots to be raised, after doing with all other occupations?" to which he said he had not done anything; upon this I asked him, "Did you not take the Wuyed to such and such person's house?" He replied it was not for this purpose, he had gone for some other business. I said I cared nothing whatever his business might be; but it clearly appears from his present conduct, that he gives assistance, because he always negotiates with the adviser of Nursoopunt and others named Wamunrar Tathia, who is always ready to join in plots against me. If you therefore consider the matter, and cause an impartial inquiry to be instituted in regard to the writing of Khooshal Wuyed in the draft, by appointing four respectable persons, it will soon convince you of the fabrication of the petition.

14. Khooshal Wuyed is a liar, and so is Bheemsingjee who was produced as a witness. You must have been convinced from the evidences of Muncherjee Meherwanjee, the chobduree of the Suddree Buzar, and Sukharam Sudasive, that Bheemsing's was a false one. In answer to the question proposed to Khooshal Wuyed that how often he saw the forged book, what contrivance he has used on the 23d April in support of Bhimsing's evidence and the book—if you pay attention on this, you will find the invention made by the Wuyed and Bheemsingjee. The office papers would have made you acquainted with the latter's conduct, while I inform you a little about him, He in A.D. 1837 had falsely complained before Mr. Malet against the brother of the late Vurujlall Keesundass Thamdar, of Deoghur Barrea,

Barrea, for a pair of gold bangles, while the complaint was proved to be false. The office will furnish you with proofs, if you look for them. It was also he who was lately roguishly denying before you the pecuniary claim preferred against him by Hurukhebund Bhugwan and Motee Bhookhun for money lent to him in Sumt. 1889 (A.D. 1832-33), but you kindly made arrangement for 15 rupees to be paid to those poor men every month. Such an honest man is he? How much shall I say of him? At present he joined Saheb Ba, and gave false evidence. He would not fear to perform any business (though it may be improper to do it) if he were to receive 2 rupees by it. He is such a man; this will appear by causing the above cases to be taken out and seeing them.

It will clearly be seen from the above paragraphs, and the statements of the petitioner, Khooshal Wuyed, Bhawabhaee, and others, that the latters have falsely raised the fraud. The difference shown by them in answering questions leaves no ground, according to justice, for a further investigation into the case, while there is no objection (to carry on the case) according to the custom of the native officers now-a-days. The authorities may do as they please, but the Honourable Company's Government, viewing equal with two eyes, administer justice to such poor men as I am. I therefore most humbly beg to represent that my enemies, thirsty of my blood, have given hopes to Saheb Koover, through Khooshal Wuyed, that they would cause the Saheb to pay her money from the revenues of the State to be expended on account of her daughter's marriage, and that her adopted son would be made to succeed the gaudee of Bhadurwa. By this inducement the Wuyed caused Saheb Koover to submit the false petition, and she intends to ruin me, but the enemies have a different opinion, and how the petitioner is to know it. It appears from what you say, that you are not quite sure that there are several persons who entertain malice against me, and ruin me; I therefore say something so as to convince you of it. There is a pagadar, named Gorajee Pole, guaranteed by the British Government, and to protect his establishment, the Resident superintends it. Colonel Outram thinking that his (Polés) jageer villages, and the expenditure of his Pagga establishment suffer loss, inquired into the matter for many days; but the residency office people not having properly explained him, he called me in his presence, ordered me to take from the office all the papers connected with the accounts of the Pole Pagadar's villagers and Paga, and report after carefully inquiring into them. Agreeable to his order I submitted a report, after inquiring into the case, according to my ability. In the meantime Nursoopunt Tatia, the native agent, applied for pension, and the Saheb forwarded his application to Government. Colonel Outram knowing that I was removed from the Rewa Caunta employment from enmity, and without cause, and as I had received an order from Government in A.D. 1847, regarding service, reported to Government, recommending me for the native agent's place in the residency, and having obtained leave, proceed for change of air. Afterwards Nursoopunt Tatia had sent one of his advisers to Bombay with private letters, to influential gentlemen, and Mr. Reid, writing ill against me, and backbiting of me as he pleased, and also he might have publicly submitted a petition to Government. Notwithstanding my past services, and the order received from Government in A.D. 1847, Mr. Reid gave his opinion against my being appointed, and it was approved of by all; and Nursoo Luxunun remained (in his place). Afterwards Ajum Rugoonathrow Baba Saheb Killaidar called on me, and told me he was making an arrangement for my employment in the Guicowar's government, on 200 rupees per mensem; that I should receive it, and sit by myself, and that business would afterwards be entrusted to me according to my respect, and that then the Surkar would increase my allowance. I replied, what he said was right, but "what business you entrust me at present?" to this he said, arrangement for business would afterwards be made, that I should sit alone, after paying compliments. I then asked to Baba Saheb to entrust me with any trifling business, as I was not a man to receive money for nothing. On this he said, business would be entrusted to me after four months; for the present I was to sit by myself. To this I agreed. Afterwards his Highness called me in his presence, through Baba Saheb Killaidar, and informed me of his order. Obeying it, I sat at my house. In the meantime Nursoopunt, having heard of the arrangement, feared that if I were to be employed in the Guicowar's government, and if Colonel Outram returns, many of his frauds would be detected. Thus supposing, he told the durbar kamdars they would be ruined by my being employed by the Maharaj, and that therefore, if I am dismissed, he would make them head carbharee. On this the kamdars would have talked to the Maharaj, that if I am continued in his service destruction will be made; thus saying, they remained displeased for two or four days. Then the Killaidar Baba Saheb must have told (the Maharaj) it was unbecoming to his government to discharge me without cause, who was employed few days ago; that if he (the Maharaj) pleased, I would not go to him for compliment, but visit him (the Killaidar). On this I was not discharged, but it displeased Nursoopunt, who persuaded Captain French that the late Maharaja was angry with me, while the present Maharaj has employed me on 200 rupees per mensem, and that therefore it was proper to speak to him on the subject. Captain French then said so to the Maharaj, who replied, no business has been entrusted to me, and that as I was ruined by remaining unemployed for many days, some arrangement was made for my maintenance, but without any business to be done by me. On hearing this I became very sorry, and asked Lieutenant Battye on the subject, who told me it was sure that Captain French spoke something of me to the durbar. I then presented myself before Captain French, and begged of him to explain to me the reason why he spoke ill of me rather than to assist me, as I had served the Government. On this he asked me whether the late Maharaj was angry with me or not; I then represented to him that he (the late Maharaja) might have been so, on some one's speaking ill of me before him; but I was found blameless

when a proper inquiry was made, and that then the Maharaj would have been pleased with me. That this did not come to his (Captain French's) notice, but only the circumstance of anger was informed him. He should therefore kindly cause the papers regarding the case to be taken out of the office, and pass through them, by calling the native agent in my presence, when he would be convinced. If I were such an unworthy person would the authorities at this place have assisted me in recovering from Ladba Bhugut the amount of debt, with interest, due to me, and bringing the same to the Treasury, and afterwards paying it to me? On my informing him in regard to my being employed on 200 rupees per month, &c., he said he would talk to Gowindrow when he comes, that there was no objection on his (Captain French's) part if I would be employed (in the Guicowar's service); he must only know whether he did or did not tell this to Gowindrow; but I wrote to Colonel Outram for his information, the circumstance of my past misfortune, and the intention formed by people on the part of both the Governments, to be acted on for the future. That gentleman forwarded the letter to Captain French, who becoming very angry, caused me to be removed from the Guicowar's service. Sitting by myself at home I thought of leaving the place, as my enemies were ruining me. No sooner I prepared myself for departure than they formed such a plot as would cause my removal from the world. On their persuading the Maharaj, the latter sent to my house 50 or 100 men, kamdars, jasoods, and others, who imprisoned me, confiscated my house, and carried away some of the papers. He (the Maharaj) would have requested an order from the Surkar (Captain French) to give me further annoyance, and the Surkar would have asked him to show the argument he (the Maharaj) pointed out to him, and that then the order would be given. The Maharaj having no argument to show, as the plot was raised through enmity, demanded security from me for life that I would make no disturbance. I then asked him to prove against me any disturbance made by me, and that then the security would be furnished by me, if I would have to do so. Thus saying, I and my brother, from Nassick, submitted petitions to Government, which were referred to Captain French, but that officer reported on them according to the advice of Nursoopunt instead of the just proceedings, and thus my grievances were not redressed by Government. I became helpless, and was released from confinement on furnishing security not to go out anywhere during three months. In the meantime Colonel Outram arrived in Bombay, who must have reported to Government on my petitioning to him regarding my condition, but the Government considered Captain French's report to be final. After his coming to Baroda Colonel Outram would have reported something to Government. This circumstance must have come to the notice of my enemies, and so they deliberated, that as Colonel Outram has great aversion for any case of bribery, they should raise any false accusation of bribery against me, when I would not get access to the Saheb. Having thus consulted they joined Khooshal Wuyed, and caused Saheb Koover to prefer a false complaint. Having heard this, I submitted an application to you, and you sent me a copy (of Saheb Ba's petition) with your order. I gave its answer to you on the 7th October 1850. In the meantime the durbar people must have received news of the minutes passed in the Council, not approving Colonel Outram's report, and considering Captain French's one to be final. Having heard that they talked to the former officer on the subject of ruining me, I thought that if Government would have confirmed Captain French's report, laying aside justice, the kamdars of his Highness the Guicowar would ruin me greatly. Knowing this, I at once proceeded to Bombay, and wrote a letter to you, but the kamjars, on the part of both the governments, being of an unanimous opinion, would have persuaded you, and so you would have written something to the durbar; thereupon the durbar men came to my house, and took down the depositions of my domestic men. Such is the ill feeling; in short, they entertain such a design as to try by all means to stain my character, so that I may have no place to get access to. I therefore beg to state, that if for God's sake you devote your invaluable time on my defence, the petitioner's representation, the depositions, and the past correspondence in the office, and pay attention on them with integrity, and then inquire into the case with justice, it will soon be perceived that the men engaged in the fraud are liable to punishment. You will therefore kindly award punishment on those deceitful persons for the deeds they have committed. This is my request.

(signed) *Veenayek Moreshwur Furkey.*

(True translation.)

(signed) Lewis Brown, Political Agent.

(True copy.)

(signed) Geo. Fulljames, Political Agent.

(No. 12.)

TRANSLATION of a Communication from Venaik Moreshwur Furkey to the address of Major Luis Brown, Political Agent in the Rewa Caunta, dated 1 July 1851.

A. C.

SAHEB KOOVER, of Bhadurwa, has lately, by the ill advice of some one, prepared a false complaint against me for 8,800 rupees of ten years' standing. In regard to this, the papers written

written by Saheb Koover, her carbharee Khooshal Vuyed and others, together with the evidences and proofs, show the treachery of those persons. By fabricating a new book and a writing, the petitioner, with a view to ruin me, has, with the assistance of the camdars, on the part of both the Governments, spoken ill of me before the Surkar. The reason why the camdars entertain hatred against me, must have plainly appeared to you from my answers dated the 7th September 1850, and 10th and 23d June 1851. With the last one, copies of three letters written by Khooshal Vuyed to Deveedass Vulundass, at Bombay, have been produced. From these, and by examining attentively from the first to the last, all the papers connected with the case, it will clearly be seen they have committed the fraud against me through enmity. Notwithstanding this, depending what these rogues have written, you having intended to ask for an answer from me about a loan received by Surdarsing from Paruck Nurbhairam Gunness, in regard to the Bhaeelee Wanta, without Surdarsing's complaining on the subject, proceeded with the inquiry direct without my presence, and having taken the evidences, gave me their copies, and required an answer from me. I conceive this was quite contrary to the Government regulations, and that you have been misexplained in doing so. I personally informed you at the time when you required an answer from me, that I was not a partner in the loan contracted with the person who kept in mortgage the Bhaeelee Wanta and Nurbhairam Gunness, but it was another man. You then stated it was true, but that I should give a written answer on the subject as I liked, if I may have to make. I therefore beg to say, you may be suspecting that my son has a share in the loan of 12,001 rupees passed by Nurbhairam Gunness to Surdarsing in Sumvt. 1898 (A. D. 1841–42), when I was a Government servant, and on this account you must be requiring an answer from me, but there was no Government balance in my hand that I would have carried on the trade. I was only in the Government's service. While my family, consisting of a number of men, not being in such a situation, could not sit still without following any service or trade, and if they were to do so, how would they maintain themselves? Supposing this, they must have taken a share in the loan with Pareek Nurbhairam Gunness; you would perhaps say how could my son carry on the trade, he being young, but it was not such; it is the custom among the natives, that trade, &c., may be carried on in the name of a young son if there be any. I have a brother and nephew, aged respectively 50 and 27 years. They may carry on any kind of trade, and in any one's name they like; in this manner, it was carried on in my son's name. There are many similar instances, which, if you require, I will show from your office and other places. I mention now, one of the house of a great shroff; Behechurbhaee, of the firm of Hurree Bhugtee, of Baroda, carried on the trade during his lifetime, in the name of his son Purshotumbhaee, who was very young, but he had not to transact the business personally; it was done by other men. In this manner, the loan in question has been made; what objection is there? Perhaps you would say he (Behechurbhaee) was a shroff, and not a Government servant, but there are many proofs of the persons serving the Surkar, and I mention here a few of them: Muncharam Gokuldass, of Ahmedabad, now the moonsiff in Goga, used to carry on trade in conjunction with Bugoobhaee, of the firm of Veerchund Lobhag, by establishing a shop in Broach, in the name of Poonja Bugoobhaee, Poonjeebaee being the name of his daughter. Heerachund Premchund, moonsiff of Kuperwunj, has established a shop in Ahmedabad, in the name of his son Omed Heerachund. A joint shop is established in Rutlam, by Kalleedas Jeevunram, moonsiff of Dholka, and Bhoodur Dhuneshwer, of Kupurwinj, in the name of Chotabhaee Bhoodurjee, Chotabhaee being the son of Kalleedas; Gungadhur Shastree being employed in the Baroda residency, purchased a share in the name of his son Bhemashunker, in the Potedaree firm of his Highness the Guicowar, guaranteed by the Company's government. The partners' disputes are going on in the residency office, and before the Government, and the correspondence is already before the Surkar. Dhackjee Dadajee, when a servant in the residency, had purchased a share in the Potedaree shop of his Highness the Guicowar; this circumstance too is open to the Surkar. Sarabhaee Bapabhaee, while in the residency service, transacted business by purchasing a share in the name of his son Bholanath, who now being in Government's employ, carries trade on his wealth, while it is known that I have been carrying on sowcaree trade from my father's time by opening shops. The residency office has proofs to show that I did carry on trade when I was not in the Government service; such that I gave a loan to Ladojee Row Bhugnet, keeping his villages in mortgage. These rupees the Resident recovered from him with interest, brought them to his treasury, and then gave to me. Notwithstanding this, you required an answer from me, and so I represented it in the following articles.

1. The petitioner falsely stated in his representations, she acknowledged to give me 12,000 rupees on my demanding the same from her; that I refused to give her a writing when she required it; that 8,800 rupees were sent me on my satisfying Khooshall Vuyed, and that when she could not pay me the other rupees at due time, I joined her opponent Runna Surdar Sing, of Wankaneer, now on the gaudee of Bhadurwa, and told him to cause him to be succeeded to the Bhadurwa gaudee if he would petition the Surkar, but that arrangement should be made for me, to which Surdar Sing agreed, and gave me at the time about 7,525 rupees in cash, and settled to grant me one of his villages in Inam, on his being succeeded to the gaudee; that owing to this, her claim was preceded by Surdar Sing's, who obtained the gaudee, and said other falsehood besides. Such could easily be seen from her statement; but unfortunately for me, you do not appear to have seen your office papers, and I am therefore obliged to say that the substance of the petitioner's representation is, that she gave 8,800 rupees in the months of Magsur and Poush Sumvt. 1897, (A. D. 1840–41), and that when she could not pay more, I caused Surdar Sing to petition; but

you should consider that Surdar Sing has made two petitions to Surkar, claiming the gaudee; the first on Shravun Vud 10th, Sumvt. 1896, (A. D. 22d August 1840), received No. 1616, and the other on Shravun Vud 13th (25th of the same month), received No. 1682. When you see them in the diary, you find a vast difference between them and the petitioner's statement, which should be inserted in your opinion.

2. The substance of the petitioner's representation is, that I told Surdar Sing I would cause him to be placed on the Bhaderwa gaudee; that he agreed to it, and gave me at the time 7,525 rupees. Such falsehood is written. Upon this you took down the evidences of Surdar Sing and Kalleedass, on the 11th November 1850. In the first question, the thakore was asked to state what he knew in regard to Saheba's (declaring) that he gave me Rs. 7,025. 8. in cash, and wrote to me (mortgaged) the Bhaeelee wanta. In answer to it, the thakore plainly stated, he did not give me anything. The Karbharee Kalleedass, in answer to the question put to him, said Surdar Sing did not give the money as bribe. In spite of such a plain answer, you suspect, owing to the misrepresentation of my enemies, that my son has not paid his share of Rs. 5,700. 8 (deducting 300 on account of interest and premium), in the loan of 12,000 rupees, nor the sum of 1,325 rupees, out of the share of Pareckh Nurbhairam Gunness, making in all Rs. 7,025. 8. Having arranged the items, the thakoree and Kalleedass' statements were taken among the questions; Saheba's name was put for nothing; and having written Rs. 7,025. 8., the evidences of carbharee Kalleedass, Doolubjee and Lulloo, the goomasta of Nurbhairam Gunness, were lately taken. Also accounts current in regard to the loan of Rs. 12,001 were copied from the books of Pareck Nurbhairam Gunness, wherein everything is clear. In the copy of the petitioner's representation received by me, with an order she has written, that about 7,525 rupees have been paid to me by Surdar Sing, while you have accounted for the items in the above manner; but it is not so, because it plainly appears from the proofs produced in this case out of Nurbhairam Gunness' books that Rs. 5,700. 8. were paid by him, and a similar amount by Luxumon Row Lallojee, on account of the loan of 12,000 rupees. The former has for proof in his part entered in his book in detail all the small items below the large one of Rs. 5,700. 8., being his share, while Luximon Row Lallojee's share of a similar sum has been entered in one item. What need has Nurbhairam Gunness to enter in detail the item of another person? and so he did not do so. If there be any detailed account, it must be with Luxumon Row Lallajee, or his managing carkoon; but from what is written above, it does not appear that I have any connexion for the item; and the thakore's writing, together with the evidences of carbharee Dulonjee and Callidass, clearly prove that the 12,000 rupees, being the sum of the shares of both the partners, has been received by the thakore. Besides, it is written that Rs. 1,325 were sent by Nurbhairam Gunness through his goomasta Lulloo to my house, being a portion of his share of Rs. 5,700. 8, and that sum the goomasta acknowledged in his evidence to have paid; but on that day I would have been engaged in the performance of wastoo (a ceremony observed by the Hindoos when going for the first time to live in a new house). As Doolnojee had come to me, Lulloo might have brought the money to pay him, and Doolnojee, not having leisure, might have caused the money to be put there (in my house), and taken them afterwards. This event occurred many days ago, so I do not recollect it; but Doolnojee clearly acknowledges in his evidence to have taken 1,325 rupees, and that, therefore, I am in no way answerable for the amount, nor have I any connexion with it. You have, without any complaint from the thakore, taken the trouble of examining the account of his private expense of 12,000 rupees. From the copies of those papers, subsequently given to me, it appears the thakore has shown the due expense of the money. Detail of the accounts has been mentioned in his evidence by Calleedass as much as he knew. For the rest of the account he stated Doolnojee must know, as he was the manager of it. In answer to the questions proposed by you to Doolnojee, in regard to the loan of 12,000 rupees, he has shown a full account of the expenditure of the amount. Thus the papers show that not a pie of the loan money is due by me, while you, after summing up the items of Rs. 7,500. 8. and 1,325, making in all 7,025, compare the same with the false item of 7,525 rupees mentioned by the petitioner and the Vuyed, who are rogues, and trouble yourself by placing confidence upon them; but it is not proper for you to do so, as they have been found to have raised false accusations before the former authorities; and, moreover, they have also been proved to be liars in many cases before you. Notwithstanding, you frequently rely on them. This should be considered by an upright person like you; if not, your please.

3. On a mature consideration, you would have concluded that the representation of the petitioner, that I joined Surdar Sing, caused him to petition, and received from him 7,525 rupees, when she could not make up at due time the amount of 12,000 rupees, is all false, as stated in detail in the second paragraph from the papers produced before you; a strong proof has been found that Surdar Sing made two petitions in the month of Shravun Sumvt. 1896 (A.D. 1839-40), while the petitioner falsely stated she gave me 8,800 rupees in the months of Magsur and Poush Sumvt. 1897 (A.D. 1840-41); and that since then, Surdar Sing, having given me 7,525 rupees in cash, I caused him to petition. But it is to be considered when he made the petition. He obtained the gaudee in about the month of Chuytre Sumvt. 1898 (A.D. 1841-42), while the loan was contracted from Pareck Nurbhairam Gunness in Shravun the same year. It therefore plainly appears that the petitioner's statement, that I received 7,525 rupees (from the thakore) many days before his succeeding the gaudee, is false. Putting aside all this, you might be intending to make up the item of Rs. 7,025. 8., on suspicion that I was concerned in the loan from Paruck Nurbhairam Gunness, and on the

the support of the book; but notwithstanding such a large difference and falsehood appeared to you from the papers, you trouble yourself with the matter after these 10 years; and in spite of your knowing that the petitioner and Khooshal Vuyed are great impostors, you appear to believe in what they show. This is very surprising.

4. The petitioner, her mother-in-law, Indrecooverbaee, Vuyed Khooshal Keerpashunker, and Bhanabhaee, are all cheats, and it is ten years since they have lost their possession of the state. Afterwards they once petitioned the Bombay Government against the camdars, and were convicted of telling an untruth; so it has been ordered never to allow them to remain in Bhadurwa. Heedless of the fact, they go on petitioning against any of the camdars they please, before the succeeding Sahebs (Political Agents), and produce fabricated books; but the authorities do not listen to them, considering their conduct and the past event. Besides, it is the custom of Government, that he who is once found to be an impostor, is never to be depended on in any evidence or complaints. These persons have, as above described, been convicted of telling untruth, when they petitioned against many of the camdars. Your Honour, without inquiring into their conduct, and the orders written by the Saheb (late Political Agent), in regard to them, also without paying attention on the honours bestowed on me for the services performed by me with integrity, trouble yourself on hearing the false stories of those intriguing persons; never mind, your please; but as their failing to get the place (gaudee) the Surkar might have done as appeared to them just. It is to be considered by you that they intend to ruin me by becoming envious of me through misunderstanding and persuasion of my enemies. Moreover, as an instance of their false accusations, I beg to enclose herewith copy of an order (No. 267) 20th February 1844, from Mr. Remington, to the then acting native agent of the presidency, Lalla Hurilall Roodurmul. Its perusal will convince you that they are intriguing persons.

5. I have mentioned in the second para. the previous circumstance in regard to Pareck Nurbhairam Gunness' loan of 12,000 rupees; on account of this loan certain villages were assigned. After the collection was made of the revenues thereof, interest was calculated, and having accounted for the items received, balance was made out. The balance (in favour of the Pareck) was afterwards included in another loan of 19,951 made by him, and a bond written for the same. Next year, having made an account of the bond, and deducting therefrom the collection made by him out of the assigned villages, a new bond for 20,001 rupees has been written to him. In this manner, annual bonds and accounts have been made. Petitions on this subject have been submitted by Pareck Nurbhairam Gunness when the mortgaged (assigned) villages were attached, when all the proofs must have been produced. They would satisfactorily show you, that Rs. 5,700. 8. being the share of Luxumon Row Lallajee, and an item of 1,325 rupees, have been received by Surdarsingjee.

6. The conduct of Saheb Coover and Surdarsing is similar. The reason why the latter could not say anything against the case of Pareck Nurbhairam Gunness' loan of 12,000 rupees is, because he has contracted many loans from Nurbhairam Gunness and other shroffs, and there were several partners too; also he was bound up by some writings and proofs, so that no means having left to him, and fearing from the Surkar for speaking lie, he did not say as he was told by the ill advisers, but that he did not acknowledge the sum about the Bhaeelee Wanta. The reason is, that he petitioned in Sumvut 1903 (A.D. 1846-47), by the advice of the camdars of both the offices, that as he could not get sowcaree security for the jumabundee, the Surkar should attach the state, recover the amount of jumabundee, and make arrangement for his maintenance, &c. On this the Sirkar placed attachment on the state. The Bhaeelee Wanta being rent free was also attached, when Nurbhairam Gunness and other shroffs would have made a petition. In answer to it, some ill advisers would have caused to write something false in regard to Bhaeelee, &c., so that Surdarsing was in difficulty to show his face to the respectable people; he had no respect at all among the Mehwasees, and the Bunias did not lend him a rupee worth of things. The advisers had agreed to remove the attachment into two months, but could not do so. On the contrary the Guicowar's balance increased, when he (the thakore) made petitions to the Surkar, in which I heard he acknowledged his debt to the shroffs. He must have forwarded a petition to the Surkar on Thursday the 13th of Kartick Sumvut 1905 (A.D. 1848-49), after entreating the shroffs in various ways. Copy of it has been sent by him with his letter to the shroffs. That and copies of the two letters written by him to Pareck Nurbhairam Gunness respectively on Magsur Sood 10th, Sumvut 1905 (A.D. 1848-49), and Kartick Sood 3d, Sumvut 1906 (A.D. 1849-50); altogether, three copies have been herewith forwarded to you. From these and other petitions which have been made by him to the Surkar, it will clearly be seen the habit of the Surkar's camdars is to ruin the shroffs; also, how competent a man Surdarsing is.

7. An instance of the Surdarsing's conduct that he speaks lies is among the Surkar's records. It is this: there are Girassias in Bhadurwa, called Sadeeas; they were very turbulent and murderous; several of them were apprehended by the Government and transported beyond seas, except one Jusso, for whose apprehension the thakore was several times mohsulled, but he did not produce him, and wrote false answers, that the man did not live in his village, though he kept him at Bhadurwa for four years. The Surkar apprehended the offender direct, and asked Surdarsing to answer for the false letters he had written, but he could not do so, when he was fined 500 rupees, and Jusso was transported beyond seas. Correspondence on this subject is in the office; when you see it you will know the conduct the thakore possesses, and the truth he speaks.

8. The petitioner stated, in her representation, the Bhaeelee Wanta, yielding a revenue of 900 rupees, was granted by Surdarsing in Inam; but as I was then in the Government's employ, no writing to that effect could be made, and that therefore I caused him to pass a writing in my son Lukmun Venaik's name, that he received a loan of about 7,551 rupees, and in lieu of that the wanta in question was mortgaged; that the management thereof was conducted until Sumvut 1902 (A.D. 1845-46), and when the Surkar attached the state, they resumed the wanta also. On this I petitioned against Surdarsing in lieu of the mortgage bond, and the thakore's answer thereon, which is among the Surkar's records, clearly shows he has not received any money from me on the Bhaeelee village, and said (the petitioner) other falsehood besides. But you should consider, that when the wanta was attached by the Surkar, the person to whom it was mortgaged made a petition in the month of Pash, Sumvut 1903 (A.D. 1846-47), and forwarded therewith copy of the bond mortgaging the Bhaeelee Wanta. It was sent to Surdarsing with an order; this I knew from the copies of the evidences lately furnished to me. The Surkar has not yet answered the above petition. Such is the injustice; if you are in doubt of it, you will be convinced from the office records. Some days afterwards, the Surkar, on the receipt of a report from Moolchund Mucundass, sent an order, No. 996, 7th July 1847, on my son, on the subject of the accounts of the management of the Bhaeelee Wanta; its answer was forwarded by him (the person who kept the wanta in mortgage) on the 16th July 1847, with a statement showing the receipts of the wanta, in which he also mentioned he did not receive answer to his petition, and the wanta has not been made over to him; while the petitioner stated Surdarsing gave a plain answer, I therefore cannot comprehend why the Surkar did not answer to the mortgagee. If Surdarsing has not given his answer to the petition of the mortgagee, and if the petitioner may be writing false according to her custom, it is for you to consider over them.

9. It is observed in the petitioner's representation, that when the books of Pareck Nurbhairam Gunness are sent for and examined, it would clearly be seen, that the bond for the village of Bhaeelee was falsely written without giving money. On this you sent for and examined the books in question, but you did not let me know the proof you found out, that the bond for the wanta was written without giving money; while it does not appear to be so from the copies given to me of the accounts in the books of the said shroff. If you have, therefore, found out any proof on the subject, and if it is not given to me, it should be, when I would give an answer thereupon. If the petitioner has falsely mentioned the above about the Pareck's books, as is her custom to do, it should be taken into your consideration, and the whole of her falsehood be written in the report to the Surkar.

10. Owing to the Residency people's enmity against me, the Guicowar's kamdars entertained hatred of me, imprisoned me, and confiscated my house, when several papers were deranged, so that many documents have been lost, and I have therefore become helpless. If I could have got them, I would have informed you of the contents thereof; but as they are not in my possession, I have no other means.

11. Surdarsing, through the persuasion of the office people, caused attachment to be placed by the Surkar on the villages assigned by him to Pareck Nurbhairam Gunness on account of his debt. On this the Paruck must have made petitions to the Surkar. When Mr. Mansfield pressed the thakore to answer on them, the latter must have written a letter on second Jeth Sood 2d, Sumvut 1903 (A.D. 1846-47), copy of which has been lately received by me from the Surkar, wherein the thakore mentioned an astonishing circumstance, that he knew not Nurbhairam Gunness, that he did not receive on loan a pice from his house, nor caused any to be given to others, and that he would have received from me or Lalla Hurlall Roodurmul out of the detailed items claimed, &c. This is all false and invented. In regard to this it is to be observed, that Surdarsing being greatly indebted on account of the heavy pressure of the jummabundee of Wankaneer, was in great difficulty about the instalments; but fortunately he obtained the state of Bhadurwa at the time. This Carbharee Doolunjee and Kalledass then came to Baroda, and were labouring to procure money on loan from shroffs, but no one lent money. They then went to Muncharambhaee (head goomasta of Mauncchund Jugjeevundass), a kind and worthy man, and would have talked to him, with entreaties on the subject of a loan of 12,000 rupees, to which Muncharambhaee replied, he would make the loan if they assign some villages on account of its payment, when they agreed to mortgage the villages of Mangshee, Beelwanta, and Chandsudwanta, and would have passed an agreement, so that Muncharambhaee agreeing to make the loan, asked my brother to become his partner, and keep a half share in it, telling him there would be profit in the interest, &c., and that two men would be maintained by it. My brother answered in the affirmative. On this, Muncharambhaee at first contracted a loan of 12,001 rupees from the shop of Nurbhairam Gunness, of the firm of Tatopunt Tatia. My brother kept half a share in the name of Luxumon Row; afterwards two loans were contracted from the said shop, in which Luxmon Row must have some share. Of these loans, certain sums of money have been caused by Surdarsing to be paid to the Surkar; there must be receipts for them. Notwithstanding his passing bonds, and making annual accounts of the interest, he falsely stated he knew not Nurbhairam Gunness, and he took not a pice from him, nor caused any to be given. After the Saheb placed the attachment, Nurbhairam Gunness would have petitioned and produced proofs. These, the books seen by you in the present inquiry, and the three copies produced by me as alluded to in the sixth para., being those of a petition from Surdarsing, and the two letters written by him to the Pareck,

will

will fully convince you that the answer and its accompanying yad above mentioned, submitted by the thakore to Mr. Mansfield, are fabricated.

12. At the time those people, through enmity against me, misled Surdarsing, and caused him by their ill advice, and for their own interest, to petition to place attachment on the state, the shroffs had preferred a complaint, and the thakore, with his answer, would have submitted a yad. An extract of it has lately been given to me. The substance of it is, he (the thakore) would have collected in Sumvut 1899 (A.D. 1842-43) Rs. 256. 8. from Bhaeelee, on account of the loan of 19,951 rupees, and that therefore the same paid by him through Kalleedass to Luxumun Row; this the thakore denied, and said it does not appear what connexion has Luxumon Row with "Bhaeelee." It is also falsely stated by him in the extract, that besides the amount above named, his 3,377 rupees have been received by me from Bhaeelee, &c. In regard to this, it is to be observed, the respectable bankers enter in their books the accounts of their cash transactions, and thus deal in lacs of rupees. This is publicly known, while the second class bankers carry on their business on bonds, and to those of the third class, if people are obliged to pass bonds, they assign in lieu of them, villages, houses, lands, ornaments, or any other property they may have. Such custom prevails in the world. The Government having confirmed it, have decided according to the regulations, to hear and to pass decrees on the petitions made to recover the balance made out at the end of six years by accounts, and that made out by bonds at the end of 12 years. It is therefore astonishing to see that you do not take into consideration the denial made by Surdarsing, notwithstanding his writings, bonds, and the management made so many years (known by the Surkar) by the bankers of the villages mortgaged to them by him (the thakore); but a debt due to some one can never be forfeited through enmity. I am quite confident you would cause money to be paid through justice to the poor bankers, because if it were a robbery, why would Luxumonrow or his managing carcoon have openly entered the sum of Rs. 256. 8., collected (by the thakore), and deducted it from the loan of 19,951 rupees? This should be taken into consideration by you. Surdarsing, in Sumvt. 1899 (A.D. 1842-43), received from Luxumonrow's managing carcoon, a sum of about 1,800 rupees, and assigned in liquidation of it, the whole of the revenues of the Bhaeelee Wanta; but of these he directly collected Rs. 256. 8., which I heard was deducted out of the loan. The collections of Bhaeelee for the same year (Sumvt. 1899, A.D. 1842-43), in cash and corn, the thakore caused to be paid through Kaleedass and Doolunjee in liquidation of 1,800 rupees. After making an account of the interest, balance was made out. For this and other rupees received by the thakore, the latter passed a bond for 7,551, in Sumvt. 1,900 (A.D. 1843-44), mortgaging his Bhaeelee Wanta free of rent for a period of 11 years. According to the agreement of the bond, the management was conducted, and collections received. Notwithstanding this, the thakore denies, but it was this Surdarsing who in Sumvt. 1904 (A.D. 1847-48), came to Baroda, and greatly entreated through the medium of two men, that "I became a thief of the God's house, because I received from you thousands of rupees in my critical moment, and afterwards denied, through the persuasion of the ill advisers; that I was very well rewarded with the fruits of doing so, and that God had made me the owner of the place (state); but I am like a prisoner; absolve me, therefore, by any means that I may be protected, and that I receive exemption from the house of God." He thus conversed with my son, and carcoons; they then related to me the above narrative. On this I made a clear answer, that as he was a misbehaved and dishonest man, I had no need to see his face, and that therefore they and he might do as they pleased. My carcoon then thought that no redress could be obtained by petitioning the Surkar; that the item of money was a large one; that the thakore had come to make a settlement, and that therefore arrangement should be made for the rupees. He (the carcoon) being disgusted, remitted 550 rupees out of the principal amount, and the thakore passed an instalment bond for 7,001 rupees, dated Sumvt. 1,904 (A.D. 1847-48), Bhadurwa Sood 13th, copy of which is herewith produced, from which would appear to you the false statement made by the thakore in regard to the Bhaeelee Wanta, and the fabrication made on the subject in the petition from those rogues, the Vuyed and the petitioner; you would suspect why was I obliged to fix instalments, and to remit 550 rupees, if I had a proper debt to receive. In answer to this it is to be observed, there was thousands of rupees cash transaction, but the objection was that the Surkar had placed attachment; and no settlement was made by petitioning the Surkar. It is the custom of the sowcaree cash transaction that when the man from whom money is due becomes a poor, settlement of the claim against him is made according to his capabilities, at least two annas for a rupee. On this ground, being helpless, 500 rupees were remitted, and an instalment bond have had been made. If it were a false claim, such settlement could not have been made, because Surdarsing is not less powerful than Saheb Coover. The latter is giving annoyance by preferring a false complaint without giving money. It is therefore for you to consider whether Surdarsingjee would have passed a bond, and made the above settlement, without receiving any money.

13. I beg to state, after a perusal of the copies furnished to me of the evidences of Surdarsing, Karbharee Dooluvjee, and Kallidass, in the case of the Bhaeelee Wanta, alluded to in the complainant's fabricated petition, that explanation has already been given by me, in my report of the 10th June 1851, as to the reason why the false accusation has been raised against me, and that therefore there is no need to write it in detail now; but I have to inform you of their (the petitioner and others) treachery and habit of false writing, that Carbharee Kalledass has stated in his evidence, given on the 11th November 1850, that he was present at the time the bond was passed, mortgaging the Bhaeelee Wanta to me, on

condition to take money, but that he went to his house on account of the demise of his wife, and the thakore and Dooluvjee remained at Baroda; that he knew not therefore whether they received money or not, and that Dooluvjee then used to keep the accounts of the receipts and disbursements. In his evidence, given on the 7th June 1851, he stated, through the fear of my enemies' power, he knew the thakore had not yet received the amount mentioned in the bond; that he knew not how much of the resources of the Bhaeelee Wanta has been enjoyed (by whom); that the thakore and Dooluvjee must know why the amount named in the bond was not taken; that he conducted the management for Sumvt. 1899 (A.D. 1842-43), and paid the rupees to the thakore; that he remembered not about the sum of Rs. 256. 8. of that year, owing to many days having elapsed, but whatever has been written in regard to the item in the accounts furnished to the Sirkar must be true; that he knew not about the second bond, but the thakore must have been deceived, and caused to pass it; that the thakore and I might know it, and stated other falsehood besides. He is not to be depended on for what he said above, as both his depositions make him out to be so; and, moreover, to show that he is an equitable man, I have to inform you he had taken money from Luxumonrow and Nursangnath on account of his marriage; of this 600 rupees remained unpaid; they therefore petitioned against him as he was not giving them. During an inquiry into the case which was going on in the office, he made various false answers, which, when perused, would convince you of his conduct, and how faithful a man he is. Thakoor Surdarsing stated in his evidence, taken on the 11th November 1850, that he passed a bond mortgaging the Bhaeelee Wanta, but did not receive money, and said other falsehood, I therefore inform you of his justness. First, in Sumvt. 1903 (A.D. 1846-47), when collection was stopped to be made from Bhaeelee on account of the mortgage bond, Luximonrow Venaik petitioned against the thakore, and the latter was furnished with copies of that and the bond; but he has not yet made an answer to it, nor the Surkar caused him to do so. If he had not received the money mentioned in the bond, what objection was there for his immediately complaining before the Saheb, to cause his writing to be restored to him? and further, why did he pass a new instalment bond in the month of Bhadurwa Sumvt. 1904 (A.D. 1847-48), if he had not taken the money named in the above one? This should be taken into your consideration. I explain to you the reason why the thakore denied in his evidence, taken in November 1850, to have received the amount of the bond. My enemies had unjustly attacked me at that time. I saw the way to justice was wholly shut up. I was then obliged to go to Bombay to save myself from being delivered into the hands of my enemies. Prior to this my children and all having gone to Deccan, they (the enemies) thought I would never return. The thakoor having known this, considered there was no one to come to contradict his statement, and so he denied the circumstance regarding the bond; but from the copy of the instalment bond, which I produce, passed by the thakore, it would be seen by you he has received the money on the Bhaeelee Wanta. The reason why Dooluvjee Runchordas was refusing to attend before you to give his evidence in regard to the case, though you were pressing him for it, is, that he being in the service of the Nuwab Saheb, had frequent business with the Guicowar's camdars, and as the false accusation had been raised through their advice, which they were very eager for to prove against me, he became helpless, and to act according to their pleasure; and owing to the fear he was shown by them, he denied, in his evidence subsequently taken, the fact of the thakore's receiving 7,551 rupees on the Bhaeelee village; but it was he who wrote the first bond. He knew the amount of that was received, and that the resources of the wanta were allowed to be enjoyed. When collection was stopped to be made from the wanta on account of the attachment, the thakore passed, in the month of Bhadurwa Sumvt. 1904 (A.D. 1847-48), a new instalment bond; this too has been written by Dooluvjee. If the money of the above bond were not true, why would the thakore have made a new one? This should be considered by you. In the joint deposition of Nursee Kevel and Heera Poonja Patells, of Bhaeelee Wanta, the former stated, in answer to the question put to him, that he went to Baroda, at Heeradass Bowa's, where Carbharee Cullidass and Dooluvjee were, and that conversation was going on there; that as I (Saheb's carbharee) caused Surdarsing to be succeeded to the gadee, the wanta was granted to me in bribe. He also stated, in answer to the same question, that when both the carbharees were talking on the subject of granting to me the Beel Wanta, he said to them, as his wanta was near to Baroda, it had better be granted; and that he therefore knew it was given in bribe. He further declared Dooluvjee told him that his master was I; that he should therefore inform me, if he has any grievance, and thus entrusted (whom) to me; but the thakore, or the carbharee, did not tell him anything whether his wanta was sold, mortgaged, or granted in Inam. In regard to this it is to be observed the said Nursee is a very troublesome person. As he was interrupting the revenues during Luxumonrow Venaik's management, he was turned out of the wanta. When he lived in the villages belonging to Seevrow Bulvunt Funsa, situated in Pal (Jungles), he having also played roguery there, was in like manner turned out, and he came to Bhaeelee, and remained there by cultivating alienated lands. He returned to the wanta after Luxumonrow's management was over. He must be therefore stating false through enmity; but what he has declared is all false, as would plainly appear from the substance of his evidence above quoted, which should be taken into consideration, when it would convince you of his false statement. His roguery has been made known to Mr. Mansfield by Luxumonrow Venaik, in his report of the June 1847. Moreover, he declared he was not told by any one whether his wanta was sold, mortgaged, or given in Inam. What dependence could now be placed on his falsehood? This should be viewed by you with justice.

14. Saheba would have submitted a petition on Aso Vud 10th (30th October 1850); an extract of it was sent (to me) on the 29th March 1851. The substance of which is, her mother-in-law has besides this given me 1,000 rupees in Sumvt. 1894 or 1895 (A. D. 1837–38, or 1838–39), on account of the Kherda ferry boat, and that she would show proofs for it when the case be inquired. In regard to this it is to be observed, I know nothing about the money. Her mother-in-law having been dead, the petitioner writes as falsely as she likes through enmity, because the former is never to come to give her evidence. The petitioner, Khooshal Vuyed, and Bhawabhaee (great rogues) make such fabricated petitions without fear from the Surkar, while the latter do not require proofs from them at the same time, so that they invent, according to the nature of the business, such proofs as may be wanting at any time, and injure the character of an honest person. You are also obliged to take trouble for them. If therefore Government take measures to punish them for fabricating petitions, forging documents, and perjury, they would never for the future be encouraged to disgrace any one by preferring false accusation.

15. You should consider that these rogues, having falsely written in the petition about giving me 8,800 rupees, have produced such invented documents as suited their interest; they should be examined by you minutely that how they have contrived and made false adjustment, so as to ruin other persons. In the first place they having torn the leaves of the daily book, have inked several entries. At the sixth page in the ledger, where there is an account of the petitioner's mother-in-law, several entries to have been inked. The Vuyed said he brought from Kunneeja Bawabhaee 900 and 2,000 rupees; this the latter acknowledged; but the fifth page, which contains an account with him, shows that 1,525 rupees are due by him. Who is then true, Bhawabhaee, the Vuyed, or his books? What must be said here? In the first page of the ledger is an account with Deeveedass Jethabhaee, where an item of 1,375 rupees has been credited, and the same debited to Bhawabhaee in the daily book. Many days afterwards the said item has been again credited to Bhawabhaee and debited to Deveedass Jethabhaee. This item has never been received nor paid; his own books show that the adjustment has been falsely made for nothing. He must only know why, and to ruin what person he would have done this. Besides, the book has in many places been forged, which I cannot describe to you, as it would be very long. In short, he is accustomed to invent such books. Moreover the Vuyed Bhawabhaee and the petitioner had sent Sha Deveedass Vuluvdass to Bombay, in Sumvt. 1898 (A.D. 1841–42), to make petitions for them, and to whom many letters were addressed by them to raise false accusations; of these, three have been produced by me with my report of the 23d June, which are on the subject of forging new accounts for raising false accusations on the kamdars, and the hatred they entertain against me. He (the Vuyed) was in those days petitioning against the servants. It is therefore for you to consider whether he would have remained up to this time without complaining against me, if I had been guilty of what is written in the petitioner's representation. The three papers of the Vuyed's, which I have produced, should be translated into English, when it would convince you that he and others are rogues.

The above is the whole circumstance of the five enclosures. I have produced translations of all, except that of the order of Lolla Hurlall should be made into English and examined by you, when you would know that the false accusation raised against me through enmity, is to defame my character and forfeit the debt due to my son. Many of the proofs above described to prove them (the Vuyed and others) inventors of false documents, have made everything clear. There are many other proofs besides; but as you directed me to give my answer on the 1st July, I submitted this report. I would also produce, henceforth, any other proof that may be found out of importance; therefore beg to request that you would kindly translate my reports that have been made, examine them, and enter the whole circumstance in your report.

Dated Sumvt. 1907, Ashad Sood 2d. (Tuesday, corresponding with 1st July 1851.)

(signed) *Veenaik Moreshwur Furkey.*

P. S.—You would have suspected, from the false representation of the petitioner's, that Luxumonrow has not paid the amount of his half share of Paruck Nurbhairam Gunness' loan of 12,000 rupees, and also 1,325 rupees out of the half share of Nurbhairam Gunness. On this you took down the evidences of the thakore, Kalleedass and Dooluojee. The former stated plainly he did not give anything to me. Kalleedass said he received 2,000 or 2,500 from Narbhairam Gunness, and 1,000 or 1,500 from me; and that Dooluojee must know about the rest of the money, while the latter clearly declared half of the amount was given by Nurbhairam Gunness, and the other half by Luxumonrow Lallajee; that the money have* been received from them in cash; that Luxumonrow Lallajee's 5,700 rupees were sent to Bhadurwa, for the thakore's expense, and that Nurbhairam Gunness' 1,325 rupees paid to him (by Luxumonrow) were also sent to Bhadurwa with Callidass. He appears to have shown to you the account of 12,000 rupees for which you asked him. You would also be convinced of it by examining the annual accounts of interest and copies of bonds submitted by Nurbhairam Gunness with his petitions before the Surkar. The petitioner stated the Bhaeelee Wanta was granted in Inam. The thakore and the carbharees, through the ill advice of some one, caused an attachment to be placed on the state. On this the sowcars complained. The thakore with his answer submitted a false yad; and to prove it to be correct, he and the carbharees did not acknowledge the amount of the bond mortgaging the Bhaeelee Wanta. I therefore beg to explain, for you to be convinced that their own evidence proves them to be liars, that if he (the thakore) did not receive the money,

why did he allow to carry on the management of the villages? Or, if he allowed the management, why was the collection allowed to be enjoyed? In regard to this he observed, that as I was managing during those years like the state banker, I received the collections of those years. But I did not conduct the management of his state; he should show whether I did do so. The bankers to whom the villages were mortgaged, were managing them, and not the state. How was it then that I managed it? These people say quite false, and proof for it should certainly be taken. The thakore, in answer to the question proposed to him, whether the revenues of Bhaeelee were received by all the bankers, or by me alone, stated he knew nothing about it; but that when all the bankers preferred a pecuniary claim against him, and did not account therein for the revenues of the Bhaeelee Wanta, he wrote a letter to the Surkar. Such falsely he stated; but Surdar Sing knew beforehand that the revenues of Bhaeelee were enjoyed by mortgagee Luxumonrow, according to the agreement of the bond, in lieu of interest. In the annual accounts of Nurbhairam Gunness, written by the thakore's carbharee, the revenues of the three villages of Mangshee, Beel Wanta, and Chassud Wanta, received by the bankers, have been accounted for, and for the balance drawn against the thakore and for other rupees lent to him, new bonds passed with the thakore's signature thereon. Notwithstanding this he declared in his evidence, that when the bankers petitioned against him, he found out (that the revenues of the Bhaeelee have not been accounted for by the bankers). He further said I complained in lieu of the mortgaged bond in Sumvut 1903 (A.D. 1846-47). This is quite false. I did not complain against him; the mortgagee had done so. He has falsely written my name. The fact of the mortgagee's having received the money was known to the thakore from the year the former began to take; and the above would convince you that the thakore's declaration was false. In answer to your question to him, why I did not give him the money, he said I put him off on promises: such falsely he stated. The new instalment bond passed by him to the mortgagee, in Sumvut 1904 (A.D. 1847-48), would clearly show his and the carbharee's equity. The petitioner did not produce, with her first petition, the lately forged note from me to Tukutranee's address; and when she was asked, during an investigation of the case, she said she might have a writing, but she had not then by her, &c., while she afterwards produced the above note. You inquired into it direct, without my presence, of which full explanation has been made in my report of the 10th June 1851. When I asked you of the opinions of those persons (who inquired into it), you said you would not tell them to me. No matter. In spite of the note being forged, you did not inquire into it in my presence. This seems contrary to justice. Similar hand-writing can be made by treachery. A human being is able to form a man of earth like another (living one), and take pictures of men, or any other being: this is publicly known. The rupees made, are coined in any government's mint; of these several are found out to have been made of copper and lead, which are not caused to be coined by Government, but by rogues. Many of this kind of rupees are detected by governments. The Government have lately introduced notes in the Bombay banks, and the forged notes lately found out to have been made by knavery, have been known to every one. It is therefore necessary that you should not depend upon these (the Vuyed and others) old rogues, but decide the case with justice. Dated as above.

(signed) *Veenaik Moreshwur Furkey.*

(True translation.)

(signed) Lewis Brown, Political Agent.

(True copy.)

(signed) Geo. Fulljames, Political Agent.

Appendix (A.) to No. 12.

TRANSLATION of a Copy of a Letter from Maharana Shree Surdarsingjie, of Bhadurwa, to Pareek Nurbhairam Gunness, at Baroda, dated Sumvut 1905, Magsur Sood 10th, corresponding with 5th December 1848.

After compliments.

A SETTLEMENT is to be made of the debt I owe you, but I am at present trying to remove the attachment placed on my state by the Government, and when that is effected, we will conjointly make the settlement in question. I desire that friendly terms may exist among us. Know the circumstance from the above. (Written in the hand-writing of Ruma Surdarsingjie.)

(True translation.)

(signed) Lewis Brown, Political Agent.

(True copy.)

(signed) G. Fulljames, Political Agent.

Appendix (B.) to No. 12.

TRANSLATION of a Copy of a Letter from Maharurina Shree Surdarsingjee, of Bhadurwa, to Paruck Nurbhairam Gunness at Baroda, dated Sumvut 1906, Cartick Sood 3d, corresponding with 19th October 1849.

After compliments.

IN Mr. Andrew's incumbency I allowed an attachment to be placed on my state through the advice of the carbharee, and I sustained great loss thereby. It remained extant notwithstanding its removal after a fixed period; so I have been ruined. No good will be done to me until I furnish security to the Surkar for the Jumabundee, and cause the attachment to be removed. I have written concerning your money in the yads submitted in Mr. Stuart's time, and in the petition made by me on Cartick Sood 13th, Sumvut 1905. A copy of the latter document is herewith forwarded for your satisfaction. Please, therefore, furnish nisha (security) to the Surkar for the said year's jumabundee, when after causing the Surkar to remove the attachment, I will make a proper settlement of the debt due to you. Perform the business immediately, and on receipt of your reply, I will petition the Surkar to remove the attachment.

(signed) *Runna Surdarsingjee.*

(True translation.)

(signed) Lewis Brown, Political Agent.

(True copy.)

(signed) G. Fulljames, Political Agent.

Appendix (C.) to No. 12.

TRANSLATION of a Copy of a Communication from Runna Surdarsingjee, of Bhadurwa, to the Address of Thomas Ogilvy, Esq., Political Agent in the Rewa Canta, dated Cartick Sood 13th, Thursday, Sumvut 1805, corresponding with A. D. 1848, 9th November.

A. C.

THE Surkar kindly made over the state to me in about the month of Chintree (May), Sumvut 1898 (A. D. 1842), but the management thereof (the state having Government's supervision over it), being for the year entrusted to Meheta Callidass Lulloobhaee, and Kaneeza Bhawabhaee, on taking security from them, they not having paid the full amount of the Surkar's jumabundee, only showed me in Carcoon Dajee Bulla's presence a balance of Rs. 3,906. 8. to be recovered and appropriated to themselves, the remaining produce and besides out of the aforesaid balance. Thus they carried away the whole produce. Those rupees the Surkar took from me. The jewels, property, and balance in deposit, which ought to have been entrusted to me, according to the custom of the state, were not done so by my mother and brother's wife, through the ill-advice of the camdars. But it is the custom among all the owners of states to obtain the jewels, &c. in deposit, and they receive them accordingly. I mention one or two instances which I remember. After the demise of Prutheerajjee, Raja of Oodeypoor, Goomansingjee, who succeeded the state, obtained the jewels, &c. in deposit. On the death of Tomsingjee Runna of Simore, Kuslabawa, who was a distant cousin to the deceased, and who obtained the state, received also the property in deposit. There are several other instances besides, and I submitted several yads on the subject to the Surkar, but they did not cause anything to be given to me. I then, becoming helpless, contracted debt from bankers, and bought those things which were necessarily required, and also paid the Surkar on account of the balance on the part of the above-named persons for that year. Thus I conducted business at the end of Sumvut 1899 (A. D. 1842–43), but Kallidass did not show the whole produce of the state; knowing this, the Surkar, who ought to have received from the above-named managers the jumabundee for the year Sumvut 1900 (A. D. 1842–43), and the balance on account of Sumvut 1898 (A. D. 1841–42), burdened me with the same, for which Dooluvjee Runchoredass and Kalleedass Lulloobhaee became securities before the Surkar, when villages were equally entrusted to them to realize collection from them. Dooluvjee paid the amount of his share to the Surkar, while Kalleedass treacherously did not do so, and appropriated the money to himself. I have submitted yads to the Surkar on the subject, which, when taken out of the office and attended to, will acquaint your Honor of it. In Sumvut 1901 (A. D. 1844–45) I made a petition in regard to my condition, in which I separately showed the villages assigned to the bankers from those for jumabundee. To realize collection from the latter the Surkar appointed Carcoon Dajee Bullal, who made payments to the Surkar of the money collected by him. The loss sustained on account of the jumabundee amount, owing to the villages having yielded less produce, was made up by receiving a loan from bankers. Notwithstanding this, your Honor, not considering the impoverished affairs of the state, and the heavy pressure on it, wrote an order to pay about Rupees 1,273. 8., being the amount of the balance for Sumvut 1900 (A. D. 1843–44), after deducting that for the former year. Owing to a delay having taken place in the matter, your Honor imprisoned my carbarees, and collected

lected rupees, including those on account of Sumvut 1898 (A. D. 1841–42). Being helpless, I acted accordingly so as to please your Honor. I furnished nisha (bankers being securities) to the Surkar for the jumabundee for Sumvut 1902 (A. D. 1845–46), and accordingly the bankers paid the money to the Surkar; but as they (the bankers) were not paid according to the villages assigned to them on account of the nisha, I became a debtor to them. Upon this I submitted yads, &c. to Mr. Stuart in about the month of Vueesack, Sumvut 1902 (A. D. 1845–46) to convince the bankers (with a view to make a settlement with them) and the Surkar of the heavy amount of the jumabundee. These are present before the Surkar. I was then informed that arrangement would be made on Saheb's arrival. Whereupon I presented a yad to him at the Meolee Camp, and represented (the circumstance). Those proofs are present before the Surkar. Notwithstanding this, the bankers, owing to a delay having occurred, petitioned against me. Some one then advised me that my villages, &c. have been mortgaged to bankers, and as I was furnishing security for the jumabundee, I was suffering the nisha expense; that therefore I should not give sowcaree nisha to the Surkar for Sumt. 1903 (A. D. 1846–47), as the jumabundee, and my expenses were inadequate, and that I may petition the Surkar that I could not get sowcaree nisha; that then he would persuade the Saheb, and cause attachment to be placed on the bankers, villagers, &c., as without doing so I would not receive the villagers, &c., in their possession. On this, I said to him I would suffer very much by the Surkar's attachment. When he replied, he would keep the Surkar's attachment for two months, and that then it be removed on my satisfying for the jumabundee. Thus advised, I spoke disrespectfully to the bankers, and petitioned the Surkar for the attachment, when they placed it. Two months afterwards I asked the man to remove the attachment, as I was satisfying for the jumabundee. He replied, it would be removed after the large balance standing against my state in favour of the Guicowar government is collected, and not during the meantime. I then plainly discovered his treachery; he assisted the Guicowar government by entering into an agreement with it, and ruined me. He made me quarrel with the men (bankers) who gave me money at a critical moment. Becoming helpless, I sat by myself with great sorrow, and the carcoon placed over the attachment carried on the management as he liked, without asking me: I had no access to it at all. The accounts of the receipts and disbursements for Sumt. 1903 (A. D. 1846–47), were not furnished to me when I asked for them at the end of the year. The year Sumt. 1904 (A. D. 1847–48), expired, but I have not yet been shown what revenues were realized from my state, and what expended during the two years. The royets from whom forcible collections were made, were not furnished with receipts, and that therefore the present and the late carcoons, through mutual understanding, now show balance against the royets, and collect it from them by force; such is the oppression I and the royets receive from the government's juftee carcoons. We suffer it, and pass on the days. Notwithstanding this, the carcoons write to the Surkar as falsely as they like; the proof for it is present before the Surkar. As, for instance, Putell Bhagoo Dajee, an inhabitant of Wankaneer Kulan (the son of Kallidass), who was employed by the carcoon, received collections from the people, appropriated them to himself, and carried the same as balance on their (the people) accounts, though the case was such as to be proved against him; his cleverness having been reported, his pay was increased while stationed at the same village. On an inquiry into the matter, those who are rogues will clearly appear to be so; notwithstanding this, the Surkar write orders on me, depending on the carcoons' reports; but an investigation of the case will convince you of their conduct. I know nothing about the Guicowar's balance. Formerly a force from Guicowar used to come, pillage the villages, and fix the amounts by violence. There will be some balance of such oppression, and how can I pay it? Ghas-lakree, jumabundee, &c., amount has annually been increased against my state, and made it a heavy one by force, which has hitherto been paid by me and my brother by contracting debts of lacks of rupees from bankers. The latter having been ruined, and lend me now nothing, I cannot now pay such amount which has been forcibly fixed. I will be protected if the Surkar kindly fix the amount according to those of past years, which were shown in the case of Seerpao for Wankaneer. It has come to my knowledge that my brother (Jahunsingjee) has passed security bond to the Surkar in Sumt. 1885 (A. D. 1828–29), for the balance raised through oppression. My mother and brother (Jahunsingjee) submitted petitions to the Surkar on this subject, and to cause Mehta Lulloobhaee and Callidass to furnish them (my mother and brother) with accounts of the receipts and expenditure during my brother's management, but it was not done so; when the Surkar took agreements; but why would they have been taken? If Surkar not protect the owner of an estate, how would a kamdar obey me? I therefore beg your Honor will kindly cause the said papers to be taken out of the office, and examine them attentively, when the whole circumstance regarding the balance will come to your notice; and, moreover, a copy of the agreement entered into in Sumt. 1885 (A. D. 1828–29), produced by me before the Surkar during the dispute about my mother's seer, and which is present before the Surkar. There have been many superintendents from Sumt. 1885 (A. D. 1828–29), till the end of Sumt. 1902 (A. D. 1845–46); namely, Messrs. Williams, the first, J. Willoughby, Malet, Remington, Ogilvy, Stuart, Karr, &c., who conducted the Rewa Caunta business. No one required the balance during the time of the Carbaree Sarabhaee and others, who acted until the end of Sumt. 1902 (A. D. 1845–46); proofs for it are present before the Surkar, because the balance in question, raised through oppression, was not likely to be received; and knowing there were no receipts coming from my place sufficient to pay the balance, no one troubled my state. Mr. Andrews would have thought to receive the balance on being informed (without any

offence

offence from me) by the above-mentioned ill adviser; but Mr. Malet, who carried on the Rewa Caunta business for many days, has decided at the time that those Mehwasee people, against whose villages there may be balance due to the Guicowar government, should not be paid the annual amounts of serpao, but the same be debited to them on account of serpao, and credited to the balance. Thus the management has been conducted. I therefore most humbly beg to state, your Honor will kindly take the above circumstance into your consideration. Mr. Mansfield, after being acquainted of the fact, orally represented to him in the said manner, received a petition from me to remit only the balance of Sumt. 1901 (A. D. 1844–45), on account of my sister's marriage, and granted me the marriage expense; that petition is present before the Surkar, and its perusal will make your Honor acquainted of it; please, therefore, cause the papers connected with my case to be taken out, and after being acquainted with my condition, your Honor should remove the attachment on receiving nisha for the jumabundee and ghansdana for Sumt. 1905 (A. D. 1848–49), and make such arrangement by writing to the Bombay government for a reduction in the jumabundee amount, as I may be supported. Your Honor should also, by appointing an old experienced carcoon, cause the juftee carcoon to furnish me from the office records with the accounts of two years, in the presence of the royets; this is my request. A large balance remained due the Guicowar government during the management of Mehta Lulloobhaee Soonderjee, when money were not paid according to the ankra (fixed amount). Your Honor will be acquainted of it when you take the whole account from him.

(signed) *Maharuma Shree Surdarsingjee.*

(True translation.)

(signed) Lewis Brown, Political Agent.

(True copy)

(signed) Geo. Fulljames, Political Agent.

(No. 13.)

TRANSLATION of a Communication from Venaik Moreshwur Furkey to the Address of Captain G. Fulljames, Political Agent in the Rewa Caunta, dated 29 August 1851.

VUYED Khooshall Keerpa Shunker, of Bhadurwa, by the ill advice of the Kamdar, and others, caused a false complaint to be preferred against me, in the name of Sahib Coover. The case had for many days been going on in the presence of the late Major Brown, with great trouble. During the investigation, evidence on the part of the complainant and witnesses were taken; some in my presence, and others not. I have given answers to them, and produced documentary papers. All the papers connected with the case have, I hear, been translated into English by that officer. Those and other Guzerathee ones, when seen by you, will, of themselves, fully convince you that the fabrication has been raised against me through enmity. Few days ago it came to my remembrance that the petitions and other papers presented to the Sirkar, by Thakor Surdar Sing and his carbharees, Mehta Callidass and Dooluvjee, in regard to the true state they were in, have not been shown by kamdars to the sahib (Major Brown), though they were in the office records. Feeling very much astonished, I begged Major Brown personally to favour me with copies of the office papers (authenticated by his signature), which I may point out from the diary, when I would submit a statement. An order was issued to the effect. In the meantime, by God's doing, that officer departed this life. On this I asked Lieutenant Battye, who made them give me the copies. One of them that remained you had given to me a few days ago. On attending to them, it will clearly be seen by you that they were concealed by the office people to avoid being shown to Major Brown, and had unnecessarily given him trouble in carrying on the business. The papers in question are detailed in the following manner:—

1. Thakore Surdar Sing, of Bhadurwa, having obtained nisha (security) for the Jummabundee for Sumvut 1901 (A. D. 1844–45), handed over to Carcoon Dajee Bullat a memorandum of the villages assigned on account of jummabundee, &c., with an acknowledgment written in the handwriting of Callidass, and signed by him. The memorandum (yad) the carcoon transmitted with his report of the 11th December 1844, and in it the Bhaeelee Wanta is included, as having been assigned to a banker in liquidation of the Thakore's debt.

1. Copy of an order, No. 2,172, under date the 14th December 1844, on Carcoon Dajee Bulal, directing him to act in conformity with his report above alluded to, the Thakore's acknowledgment and the memorandum.

1. A communication from Thakore Surdar Singjee, dated Sumvut 1902 (A. D. 1846), Vysack (May), Sood 7th (2d), with a yad of the same date, showing the whole receipts from the state, the village, &c., assigned to bankers in liquidation of debt and expenses, &c., written by Carbharee Dooluojee, and signed by the Thakore. In this also the Bhaeelee Wanta is entered as having been mortgaged.

1. A petition from the Thakore, bearing date the 13th of Cartie (9th November) Sumvut 1905 (A. D. 1848), wherein he has distinctly mentioned of the loss sustained by him, and the misconduct on the part of the Kamdars. The Karbharee has not made the Sahib understand

understand the substance of it, as it does not appear whether an inquiry into it has ever been made by the then agent.

1. The Thakore, in his petition, dated Magsur Sood 5th (1st December), Sumvut 1905, (A. D. 1848), (received No. 4,374), has stated of the loss in the revenue from his state; that the carcoon does not furnish him with the accounts of two years; that a certain man advised him to get attachment to be placed on the state, which, when done, dissatisfaction arose between him and bankers, and other remonstrance besides; but it does not appear the then agent did ever make an arrangement after justly redressing the grievances represented by the petitioner.

1. With my report of the 1st July 1851 I have produced papers; two of them have been addressed to Banker Nurbhairam Guness, by Thakore Surdar Sing. Their dates, and of others, are as follows:—

One letter dated Magsur, Sood 10th, Sumvut 1905 (A. D. 5th December 1848).

One letter dated Cartick, Sood 3d, Sumvut 1906 (A. D. 19th October 1849).

One copy of an instalment bond, dated Bhadurwa, Sood 13th, Sumvut 1904 (A. D. September 1848), written afresh (by the Thakore) after a settlement was made of the money of a mortgage bond assigning the Bhaeelee Wanta.

The above papers should be caused to be taken out of the office, translated into English, and kindly inquired into by you, through justice, when it would appear that it was through the Kamdar's knavery and misconduct that the Thakore and his Carbharee were dissuaded in making the false statement about Bhaeelee, &c., as given by them on 2d Jeth Sood 2, Sumvut 1903 (A. D. June 1847), to confirm which false evidences have been made to give in Sahib Coover's case. And from the substance of the Thakore's letters above quoted, it would clearly be seen by you that he has acknowledged to have received debt on the Bhaeelee Wanta, and others, up to Cartic Sood 3d, Sumvut 1906 (A. D. 19th October 1849). I humbly beg to state, the rogues, having consulted together, have, for nothing, ruined me, and defamed my character, through enmity. You should, therefore, kindly attend to the above papers, through justice, submit a report to the Surkar, and free me safely from the false claim.

(signed) *Veenaik Moreshwur Furkey.*

(True translation.)

(signed) G. Fulljames, Political Agent.

Appendix (A.) to No. 13.

TRANSLATION of the Yad of the Receipts of the Petty State of Bhadurwa, for the Year Sumvut, 1901 (A. D. 1844–45).

NAMES of the villages which are to pay the amount of Jumabundee and Ghansdana		*Rs.*
		19,100
	Rs.	
Total receipt from Wankaneer	7,000	
Receipts from Bhadurwa, including the produce arising from the spirit shops	3,000	
Receipts from Purthunpoor, Jahunpoor, and Khandee	1,400	
Total receipt from Jaspur	3,000	
Girass from the villages under Baroda and Sowlee	1,100	
Receipts from Mahapoor	400	
Ditto from the ferry boat	400	
Ditto from the opium farm	1,500	
Fine, &c.	1,300	
		19,100

Names of the Villages whose Produce are at present appropriated for the Expenses of the State.

Receipts from Buheedra		1,200
Ditto from Ramepoora		100
Ditto from the Movalwanta		150
Private receipts from the Mangshee		100
Ditto, ditto from Wankaneer		300
	Rs.	1,850

These are the only villages whose produce is at present appropriated for the expenses of the state, with the view of paying the amount due to the Sirkar. If more money be required for expenses, it shall be borrowed from the Sowcars.

Names

Names of the Villages mortgaged to the Sowcars on account of their claims.

The Jumabundee amount of Mangshee.
Ditto, ditto, of Beelwanta.
Ditto, ditto, of Chansud Wanta.
Ditto, ditto, of Bhaeelee Wanta.
Ditto, ditto, of Seemlia Wanta.
The customs at different Nakas.
Tax or vera on the Bunians of Bhadurwa.

The above seven villages are mortgaged to Paruk Nurbhiram Gunness, Bheema Shunker Gungadher Shastree, Peruk Scolall, and ——— after receiving money from them on loan.

Dated Kartic Wud 14th, Sumvut 1901, Sunday.

(signed) *Surdarsingjee Purtapsingjee.*

(True translation.)

(signed) G. Fulljames, Political Agent.

Appendix (B.) to No. 13.

TRANSLATION of an Extract of a Yad from Runna Surdarsingjee, of Bhadurwa, dated Sumvut 1902, Vaeesack Sood 7th (A. D. 2d May 1846.)

ABOUT 40,001 rupees are due (to the Sowcars), for which the following villages are mortgaged to them in liquidation of their claims. If the Surkar will be pleased to bear witness to those villages, I shall have the advantage of paying a less interest; and if villages yielding 2,000 rupees are relieved, their produce shall contribute towards paying the Jumabundee.

		Rs.	*Rs.*
Names of the villages - - - - - - - - -		- -	6,231
Mangshee - - - - - - - - -		3,232	
Wantas - - - - - - - - - -		3,239	
	Rs.		
Beel Wanta - - - - - - -	1,411		
Chansud Wanta - - - - - - -	826		
Bhaeelee Wanta - - - - - - -	626		
Seemlya Wanta - - - - - - -	376		
Rr.	3,239		

Deducting 240 rupees, being the amount of pay annually due to the Mehta Sepoys and Havildar, the balance remains 6,231 rupees.

(True translation.)

(signed) *G. Fulljames,* Political Agent.

(No 14.)

TRANSLATION of a Letter from Veenayek Moreshwur Furkey, to the address of Captain George Fulljames, Political Agent in the Rewa Canta, dated 14 October 1851.

YOU personally directed me to explain to you the manner in which the payment was made to Thakore Surdarsung, of Bhadurwa, of the amount of the half share kept by my son in loan of 12,001 rupees, first contracted by Nurbhairam Gunness with the Thakore, and to show an account of the sum of 1,325 rupees, which appears to have been sent to my house by Nurbhairam Gunness on account of his share, and also to produce the agreement passed by Nurbhairam Gunness with my son for the latter's half share. On your having shown to me the four letters from Deveedas Vullubdass at Bombay, dated Sumvut 1899 (A. D. 1842–43), a note from my carcoon, and another from me in Sumvut 1902 (A. D. 1845–46), all of them to the address of Khooshal Vuyed, and produced by him, I requested for their copies, which you kindly furnished me with. I have also been favoured with copies of the depositions of Khooshal Vuyed, dated the 7th July and 30th September 1851, and I beg to answer on the above points as follows:—

1. Nurbhairam Gunness contracted the loan of 12,001 rupees, in the month of Shravun, Sumvut 1898 (A. D. 1841–42), Luxumonrow Lallajee had a half share in it, and the amount thereof has been paid to the Thakore. The day on which the sum of 1,325 rupees had been sent by Nurbhairam Gunness through his goomasta on account of his share, to be given to Kallidas and Doolnojee, there was vastoo (a ceremony performed by Hindoos

when going for the first time to live in a newly built house) at my house, and Dooluvjee and Kalledass had come to me to honour the occasion, and as they had no leisure then to go to their quarter, they caused my carcoon to receive the money in question. The carcoon credited the amount as deposit, and debited the same in the said manner on the day it was given back to Dooluvjee. A memorandum of the account in question, copy of an agreement, dated Shravun Sood 12th, Sumvut 1898 (A. D. 1841–42), entered into between Nurbhairam Gunness and Luxumonrow Lallajee for the latter's half share. Copy of another agreement passed by Nurbhairam Gunness for the half share kept by him in the loan of 19,951 rupees, contracted with the Thakore, on Shravun Sood, Sumvut 1898 (A. D. 1841–42). Copy of a bond, dated Sumvut 1900 (A. D. 1843–44), Cartick Sood 13th, passed by Nursungnath Dahayabhaee for his further share in the half share kept by Luxumonrow Lallajee in the above loan of 19,951 rupees; and copy of a bond passed by Nurbhairam Gunness to Luxumonrow Lallajee for the latter's seventh share in the loan of 20,001 rupees, contracted in the name of Nurbhairam Gunness with the Thakore, on Cartick Sood 1st, Sumvut 1902 (A. D. 1845–46), altogether five papers have been produced before you. From them, and the explanation furnished in my former reports, you would have been made acquainted of the whole circumstances, and I do not therefore prolong them any further.

1. From a perusal of the copies furnished to me of the four letters which have been produced by Khooshal Vuyed as having been addressed to him by Deveedas Vullubhdass, at Bombay, it appears that at that time Motee Pursotum was a trustworthy man on the part of the Bhadurwa Baee in all her transactions, and it is he who, not considering of his own bad behaviour, ruins other persons by raising false accusations through enmity against them. Such unworthy conduct on his part has been brought to light by his having fabricated a book in his own hand, and being petitioned against for receiving bribes. For the latter reason he was discharged from the government service, and the Dufterdarship of the Rewa Canta agency was given to me. From that date he bears enmity towards me, and it is very clear that he would have on this account invented and caused Deveedass to write as he (Motee) pleased; Deveedass, whose deposition was lately taken on the subject, also plainly stated that he wrote just as he was dictated by Motee Pursotum. Moreover Motee's conduct has been brought to the notice of the Bombay Government in the case of Dhackjee Dadajee Kooshal Vuyed and others' treachery, and their habit of inventing papers are apparent from the copies of three letters which I have produced before the late Major Brown with my report of the 23d June 1851, as having been addressed by Khooshal Vuyed to Deveedas, the substance of which I also beg to mention below for your information.

1. A letter, dated Sumvut 1899 (A. D. 1842–43), Fagun Sood 11th, states, that "you should complete the account business which you have intended to perform; do not make many days about it, but be very cautious, so that no one may know of it; while I will also do whatever is to be done in our accounts; and they would be shown when every other means fail. Let whatever is to happen, but you should do. Hearing from you that Bhaee Shree has been forbidden to come to his house, I have no appetite for my dinner, nor do I get any sleep. If he returns without the great business being done, what will become of us! It will therefore be much better if he won't come back to his house. Tell him on the part of Baee Shree and Bhowabhaee that they are at his disposal, and that he should not leave them in the state of being drowned in a sea, &c."

It is observed in a letter dated Sumvut 1899 (A. D. 1842–43), Fagumbud 30th, that "you should come soon to perform the business that has been intended, as by doing it those who have swelled will fall back. Be very quick, but in such a manner that no one may know about it; and if otherwise, the design will be undone."

1. It is written in a letter dated Jethbud 6th, that "I paid a visit to the Resident of Baroda; nothing is to be given him at present; but he should certainly be paid on the business being accomplished, because an agreement has been made with him. The reason for doing so was, that it might prove injurious to us if he were not to act in accordance with the answer you may send on him. You should pass a good agreement with Bhaee Shree Moteebhaee, as that will be advantageous." From the above it appears that he fearlessly wrote to raise a false accusation, to fabricate papers and accounts, and to defame the character of the Sahib; what difficulty will he then find to raise a false accusation against a carkoon like me? He submitted various fabricated representations before the Surkar, but none of the authorities punished him for the deeds he performed, and so he entertained no fear to defame the character of respectable persons, and to represent falsely to the Surkar. Besides, he has produced two notes, dated Sumvut 1902 (A. D. 1845–46), and he stated in his evidence, taken on the 30th September 1851, that "I, Baba, called him, by writing the notes to him for the purpose of receiving back from him the bond for 8,800 rupees, which he had in his possession." On this you questioned him that what he said was not written in the notes, but only that he was called; how, then, could he prove that I demanded the bond for 8,800 rupees from him? In answer to it, he said, that when a conversation held on the subject, there was no other person, and what proof could he show, and what important business there was, except that relating the bond for 8,800 rupees, that he was called by me. Such he falsely stated, and the contents of the notes would have satisfied you. I now explain the reason for which I wrote the notes. In Sumvut 1902 (A. D. 1845–46), I and Lalla Hurlall becoming securities for the Thakore of Bhadurwa, were causing banker Candass Wagjee to furnish nisha for the jumabundee due by the state; but Nursopunt having forbidden Candass Wagjee to furnish the required nisha, the latter did not, through the former's fear, do so in his name; but as he was bound

before

before us to furnish it, he stood security for Premanund Sewlall, and made him furnish the nisha before the Surkar. If any loss occurred in the amount of the nisha, or if the Thakore appropriated to himself (any portion of the revenue), Khooshal Vuyed Mehta Dooluvjee and Chusutia Jeebhaee Veerabhaee were answerable for it, as they had become securities (on our part). The original bond and the agreement passed by them in the handwriting of the vuyed, are with Lalla Hurlall, and their copies in my possession. Two copies of the latter documents, together with two of the letters, dated Sumvut 1902 (A. D. 1845–46), addressed to me by Khooshal Vuyed and Dooluvjee, in the handwriting of the former, calling me and others to them, are herewith transmitted for your information, from which you will observe that they relate to the purport alluded to in the two notes produced by the vuyed. Moreover the latter stated, in answer to a question put to him in his evidence taken before the late Major Brown, on the 6th April, that I furnished Nisha in Sumvut 1902 (A. D. 1845–46), and that he was security for me; this he agreed, and that therefore the statement made by him on the 30th September regarding the notes is totally false: this will clearly be perceived by you. The notes in question must have been written for the purpose of making a settlement of the amount of loss that was incurred in the Nisha, because there was a loss of Jumabundy of that year, and the Thakore had appropriated to himself some money. The Surkar not having received the full amounts of instalments, Moshuls were imposed on the above-named banker (Premanund Sewlall). The latter then forced us to make payment. On this, we caused the banker to petition against the Thakore, and securities before the Rewa Canta agent. And in reply, the banker was directed by the Sahib to make payment of the whole amount of Nisha, and that then his petition would be listened to, and collection be made of his amount due from the Thakore and Nishadors by enforcing them. Agreeable to the said instructions the whole amount was paid, and then petitions were made, but no one have up to this time listened to our requests, and made settlement of our money. Notwithstanding such circumstance being open before the Surkar, he (Khooshal Vuyed) stated quite in contradiction to it. Besides, he said, in answer to a question proposed to him by the late Major Brown, on the 7th July 1851, concerning a fabricated note for 8,800 rupees produced by him, that Tukhutranee sent him to my house to demand money from me, when I wrote and gave a note to him enclosed, which he delivered over to Tukhutranee, and which, on the second or third day after its receipt, she made him read it (it then being opened); that he saw it on that day, and again when Saheb Ba sent for it at Baroda, and not during the meanwhile. He further stated, that since he entrusted the letter to Tukhutranee he had no recollection of it, and that at the time of Saheb Ba's leaving Bhadurwa for Baroda, on being called by the Saheb, she found it, and showed it to him, but he knew not how it came to Baroda; and on being questioned why it was not produced at the time of the Baee's arrival, he stated he was under consideration for two or three days how it was to be shown to the Saheb, whether when he happened to be alone or how, and that therefore he could not inform about it to the Saheb soon, while he now says he was called by my addressing him notes for the purpose of receiving back the note for 8,800 rupees; he is such a liar. How much shall I say of his kudvery? In this case several copies of letters from the Surkar's records have been furnished to me, and their originals are before the Surkar. They should be taken out, and they and the answers given by me, together with the discrepancies that have been found out between the statements of the complainant and those of witnesses on her part, should be inquired into, when it would clearly be seen that Khooshal Vuyed and others have raised a false accusation against me through the enmity towards me of those government servants who have risen to high posts.

1. The petitioner makes a false representation about the Bhaeelee Wanta, but he who don't act according to what he speaks, is made to pass an agreement to the effect; this is a custom, and the Surkar also makes the conditions of the agreement to be observed. Notwithstanding this, the Bhadurwa Thakore and his camdars, after passing bonds, on receiving thousands of rupees from bankers, deny the same, and they do not even fear from the Surkar for it. Khooshal Vuyed has become the leader of all impostors in the Rewa Canta agency. He raises any disturbance that he pleases; but as the Surkar has not, up to this time, punished him, he always does the same without any fear. I have given a full explanation of this circumstance in my former answer. For you to clearly understood * from me about the Bhaeelee Wanta, I beg to submit the following information, obtained by me from an inquiry into my own papers, which were out of order on account of the attachment on my house, and by being acquainted on the subject from the persons who had the management of the Wanta. * *S. O.*

1. In Sumvut 1903 (A. D. 1846–47), when the bankers petitioned against the Thakore, Khooshal Vuyed was his manager, who ill advised him, and made him write improper answers; and for the purpose of their being considered true ones, the Thakore made a false statement in his evidence, taken on the 11th November 1850; and for you to be convinced of the same, I beg to mention the following proofs:—

1. An acknowledgment, dated Sumvut 1901 (A. D. 1844–45), Magsur Sood 1st, Tuesday, with a yad from the Thakore, showing the villages assigned for the Jumabundee due the Surkar, and those for the state expenses, and others made over to bankers in liquidation of the debt due to them, in which the Bhaeelee Wanta is included.

2. An order, dated 14th December 1844, No. 2,172, from the Rewa Canta agent, to Carcoon Dajee Bullall, at Bhadurwa, directing him to carry on the management agreeable to the yad furnished by the Thakore.

3. A letter from the Thakore, dated Sumvut 1902 (A. D. 1845–46), Vuysack Sood 7th, with

with a yad in detail, in which also the Bhaeelee Wanta is entered as having been assigned to bankers, in liquidation of the debt due them.

4. A letter from the Thakore to the address of the Surkar, dated Sumvut 1905 (A. D. 1848-49), Cartick Sood 13th, is in reference to the above two letters, and in which he has acknowledged that the villages were assigned in liquidation of his debt up to Sumvut 1905 (A. D. 1848-49).

5. A letter from the Thakore to our address, dated Sumvut 1906 (A. D. 1849-50), 2d Vusack Sood 8th, copy of which is herewith enclosed, will acquaint you of the matter therein set forth.

Thus the above four letters, together with the yads therewith transmitted, and the copy of the instalment bond enclosed, in my answer dated 1st July 1851, will, on inquiry, convince you that the Thakore intentionally caused a false statement to be written.

1. Dooluvjee Runchovedass declared in his evidence, taken on the 17th June, that bond for the Bhaeelee Wanta has been written in his hand, in Sumvt. 1902 (A. D. 1845-46), but the money has not been received by him, and that the Thakore asked him to put his signature as witness in another instalment passed in Sumvt. 1904 (A. D. 1847-48), but he does not happen to recollect whether he did so or not. Such falsehood he caused to be written through some one's persuasion, but the bond in question has been written in his own hand-writing, and a copy of which has been produced before the Surkar. An inquiry into that, and the copy of a memorandum in the hand-writing of the said Dooluvjee, which has been before produced by me, showing an account of the money paid by me for the Bhaeelee Wanta, will satisfy you in regard to the false statement of Dooluvjee.

1. Kalleedass Lulloobhaee stated in his evidence, taken on the 7th June, that a bond for the Bhaeelee Wanta had been passed, but the money not received up to this time, &c. But on his being informed that some money and gold have been paid by me to the Thakore, on account of the loan of 7,551 rupees, he addressed me a letter, dated Sumvt. 1900 (A. D. 1843-44), 2d Shravun Soodh 7th, on the subject of the Thakore having received from me some money in cash and gold; copy of which I beg herewith to enclose, from which it will be seen that his statement about not receiving the money is false.

1. The yad produced, showing the receipts and disbursements of the money paid on loan (assigning Bhaeelee Wanta) will acquaint you with its contents.

The above circumstance is about the Bhaeelee Wanta, which, when inquired into by you, with a minute consideration, will convince you of the justness thereof.

The perusal of the above will satisfy you that the false charge preferred against me by rogues is owing to their enmity towards me. In this case an account book belonging to Toolsidass Tullatee, of Beeheedura, has been produced, and as I have not been furnished with a copy of it, I should be, with your signature thereon. I have not also been furnished with copies of the three original letters I have produced, which were addressed to me by Tukhutcanee. They should therefore be given to me, or if not, the originals be returned to me, after keeping copies thereof; you should do either of them that you like. Khooshal Uyed, having appointed Amooluckramas Vukeel, has passed two writings with him. These, together with the draft of a fabricated petition for 12,000 rupees, have been produced by me, and as I have not been furnished with copies thereof, I should be now.

This is my request.

(signed) *Venaik Moreshwur Furkey.*

(True translation.)

(signed) Geo. Fulljames, Political Agent.

Appendix (A.) to No. 14.

TRANSLATION of a Copy of a Bond passed by Runna Surdarsingjee, of Bhadurwa, to Pureekh Kahandass Wagjee, of Baroda, dated Sumvut 1901, Aso Wud 10th (A. D. 1844-45).

I ANNUALLY pay a certain amount of jumabundee to the Company's Sirkar, and you have furnished security on my part for the payment of the same for the year Sumvut 1902 (A. D. 1845-46), and for which I owe the following sums to you:

	Rs.	*a.*
To pay to the Sirkar - - - - - - - -	19,076	–
Munotee (premium), at the rate of three rupees per cent. -	572	4
	19,648	4

Thus I owe you Rs.19,648. 4., for the liquidation of which you should make collections, by placing your carcoons over my villages, of which a separate agreement has been passed by me. If the amount of realization from these villages be less than the above-mentioned sum, I will make good the same privately; you should pay the money to the Sirkar according to the instalments. If you are compelled to pay the money before the collection be made from the villages assigned to you on account of jumabundee, I will pay interest on the same at the rate of one rupee per cent. The expenses of the carkoons which you shall have to

to employ to manage the villages, shall be paid by me, according to the separate agreement passed by me. Till the whole of your money are* paid up, with interest, neither I or† the Sirkar will make any objection in your management of the villages. This bond is passed by me with my own free will and pleasure, from which I will not deviate. Shree Runchorae is the mediator in this affair. Doolubhjee Runchordass, Chasutea Jeebhaee Veerabhaee and Wued Khooshalbhaee Keerposunker, who are securities, are bound to see the agreement properly acted up to.

* *S. O.*
† *S. O.*

(signed) *Maha Runna Shree Surdarsingjee Portopsingjee.*
What is written above is true, in his own handwriting.
Mehta Doolubhjee Runchordass.
What is written above is true.
Chasutea Jeebhaee Veerabhaee.
Wued Khooshalbhaee Keerposunker.
What is written above is true.

Witness,
(signed) *Jugjeewun Kaleedass*, in the presence of the party.

Appendix (B.) to No. 14.

TRANSLATION of a Copy of an Agreement entered into by Maharunna Surdarsingjee Prutopsingjee, of Bhodurwa, with Pureekh Kahandass Wagjee; dated Sumvut 1901, Aso Wud 10th (A. D. 1844-45).

I HAVE passed a separate bond, dated Aso Wud 10th, Sumvut 1901, A. D. 1844-45, for your procuring to me Premanund Nurbheram as my security before the Company's Sirkar for the Jumabundee amount, due from my estate, and from Wankaneer, for the year Sumvut 1902 (A. D. 1845-46), and I have assigned the following villages on account of the same. The following are the conditions by which the collections are to be made from them.

The following are the villages mortgaged by me on account of a bond passed by me for the amount of Rs. 19,648. 4.

		Rs.
Wankaneer		6,500
Girass, from the Pergunas of Baroda, Sowlee and Wagoria		1,100
Bhadurwa:	*Rs.*	
Tax or vera on bhowsars	200	
Spirit shops	500	
Produce from the ferry boats	400	
Ditto - of the opium farm	1,500	
Ditto - from Bhadurwa	2,500	
You are to take from the revenue of customs, and from the tax or vera on bunions	900	
		6,000
Purthumpoora Khandee and Jallumpoor		1,300
Jaspoor		2,600
Mohopoora		400
Fines, &c.		1,000
Buheedhra		1,200
	Rs.	20,100

From the above villages, of 20,100 rupees which I have mortgaged, I will not take a pice; and the management of them is to be conducted by you, by keeping one mookhee or head man, three gomastas, one cook, and one servant; and I will give 300 rupees as their salary for one year from the revenue of the above villages. Their dinner expense, at the rate of 2 ⅛ seers per one man, is to be made from the mull vera (village expenses) of the village; the forage for one more, contingent expenses and oil, &c. are to be taken from mull vera also.

In the service of your kamdars who will manage the villages, I will keep five men with muskets, and five kusbootees or villagers, and the salary of these 10 men will be paid from my nemnook. They will act according to your orders; if any of them disobey you, you may dismiss him, and keep another man in his stead; I will pay his salary.

Much land is encroached upon by the people as khubedia, or free of rent; you are to inquire into them by perusing their papers, &c., and if they are found to be genuine, you are to observe accordingly; if any one enjoys land merely by encroachment, you are to take rent from it.

You shall have to pay the amount of jumabunder in the Sirkar according to the instalments. Should you be obliged to pay the instalment money before the money be collected from the villages, I will pay interest for the same at the rate of one rupee per cent.

The collections from the villages will be made in rather bad or depreciated coins, while you will have to pay good money; I will therefore pay exchange for the same at the rate of eight annas per cent.

The management of the above villages will be carried on by your carkoons independently, and I will not make any objection or recommendation in their just management.

If the collection is made less than the amount of Rs. 19,948. 4. (19,076 rupees being the sum of Jumabundee, Rs. 572. 4. for security expenses, and 301 rupees the salaries of the carkoons conducting the management), I will pay whatever balance may stand against me, after making adjustmeut of the account, on Aso Sood 15th, Sumt. 1902 (A. D. 1845-46).

I acknowledge the above agreement passed by me, and if I deviate from the same, Mehta Doolubhjee Runchordass, Wued Khooshal Keerpa-Sunker, and Chasutia Jeebhaee, who are my securities, will answer for the same.

Appendix (C.) to No. 14.

TRANSLATION of a Copy of a Letter from Doolubhjee and Wued Khooshal Keerpasunker, to the Address of Babasaheb and Lallasaheb, dated Sumt. 1902, Shrawun Sood 1st (A. D. 1845-46).

A. C.

PLEASE come to the village of Mangshee on Sunday, the Shrawun Sood 3d. We would have come, but Doolubhjee is suffering from itch, from which he is unable to sit on a horse, nor is he able to go to the Durbar, and that therefore both of you should come. Stay one night, and then return. We will tell you whatever we may have at the very time you come; come, therefore, soon. This is our request.

P. S.—Please accept my (Doolubjee's) compliments. Know what is written above. Tell Veethulbhaee that I have written the circumstance relating to Shehora; that I am sick, and that, therefore, tell the news to Nusuljee.

Appendix (D.) to No. 14.

TRANSLATION of a Copy of a Letter from Mehta Doolubhjee Runchordas and Wued Khooshal-bhae Keerpasunker to Rajeshree Veenayek Row Moreshwur, dated Bhadurwa, Sumt. 1902, Aso Wud B. (A. D. 1845-46).

A. C.

I RECEIVED your letter, and knew the contents thereof. I always wish your health.
* *S. O.* I and Doolubhjee will surely come to you in three or four days, when everything* be made clear. Rajeshree Bulwuntrow and Bhaee Shree Pramlall have said nothing. If they be saying something that would be to us, you should not care for it. This is the request.

P. S.—Accept my (Doolubhjee's) compliments. You would have denied for 50 rupees of sookhdee (allowance) of that place, but Thakore Shree is in great need of money. These rupees were at the time of the agreement of the boat acknowledged to Veleedass, and notes given; and as this is an important business, you should kindly answer on the subject. Few of these rupees have been taken, and few remain as balance. It is not therefore proper to be displeased about them. Please write Balwuntrowjee and Prannathjee on the subject; do not delay about it. Present our compliments to Rajeshree Lallasaheb Hurlallbhaee.

Appendix (E.) to No. 14.

TRANSLATION of a Copy of a Letter from Rama Surdarsingjee to the Address of Rajeshree Babasaheb, dated 2d Vaesakh, Sood 8th.

A. C.

I AM happy, and wish you always to be so. The news I heard from Lukhmeedass has made me glad, and you will hear the news of this place through Lukhmeedass; he will also tell you of my coming, and I will surely come accordingly. Write me of any business that I can do here for you. I am yours, and honour is due to you. Forgive me for any mistake that may have been done. A good business is expected to be done by you. You are the protector.

Appendix (F.) to No. 14.

TRANSLATION of a Copy of a Letter from Kaleedass to the Address of Veenayekrow, Moreshwur, dated Bhadurwa, Sumvut 1900, 2d Shrawun Sood 7 (A. D. 1843-44).

A. C.

I AM happy, and wish you always to be so. Formerly the Thakore received money on the Bhaelee Wanta, and I did not receive a pice from them; but he kept it for his private use, and gave them not to the people on account of his debt; he received them all. He also

also does the same out of the loan of 7,551 rupees. I have heard that you have now given to the Thakore some gold, &c., on account of the said loan. Do not give him (gold) now. See that he may not take the remaining rupees; try and give him money in cash, so that the same may be paid on account of debt due the people, because I am answerable for it (the debt). I will be free from it when you kindly try to do so. Thakorshree is accustomed to place in his house whatever comes to his hand; he is not willing to pay his creditors; and as Doolubhjee does not think of it, I have only given an intimation to you. Thousands of rupees which have been received on loans, by breaking open the houses of bankers, nobody cares for. My uncle acts according to the Thakore's wishes, and do not say anything to him; you should therefore talk to him (my uncle) on the subject. You should see that the Thakore who is there (at Baroda) may not know of this letter; my domestic news has formerly been made known to you; why should I write many times concerning it? God's will was done. I have now no one to conduct the house affairs. What Runchoraejee (name of a deity) may do will be true. This is the request.

Appendix (G.) to No. 14.

TRANSLATION of a Copy of a Memorandum showing the Receipts and Disbursements of the Money paid to Thakore Surdarsing, of Bhadurwa, on his having mortgaged the Bhaeebewanta.

CREDIT SIDE.

Rs.	*Rs.*	
712 – –	– – –	In Sumvt. 1899 (A.D. 1842–43) as follows:
	50 – –	Through Doolewjee, on Churtne Sood 13th.
	25 – –	Through ditto, on Vud 11th, the same month.
	50 – –	Received through Calleedass, priest of the village of Oomenth, on Jest Sood 5th.
	308 8 –	Through Goomas, to Calleedass, Lulloo Bhaee, on account of Mutt and Bajree, received Jeth Vud 2d.
	22 – –	Through Caleedass, on Ashod Vud 3d.
	256 8 –	As the thakore had appropriated this sum from the revenues of the Bhaeelee Wanta, he gave the sum out of the loan of 19,951 rupees, Shravan Sood 2d.
1,352 11 –	– – –	In Sumvt. 1900 (A.D. 1843–44) as follows:
	149 – –	On Poush Vud 2d.
	65 – –	On Poush Vud 10th, on account of the receipts from Bhaeelee.
	25 – –	On Poush Vud 11th, ditto.
	61 – –	Maha Sood 2d, ditto.
	1,052 11 –	Credited on Maha Sood 5th, the same amount having been debited on account of the loan of 7,551 rupees.
2,064 11 –		

DEBIT SIDE.

Rs.	*Rs.*	
185 4 –	– – –	In Sumvt. 1899 (A.D. 1842–43.) as follows:
	393 12 6	Gold, as follows: *Rs.* 293 12 6 One kuroo, weighing 14¾ tolas and 1½ wal. 100 – – A pair of patlees, weighing 5 tolas.
	1,406 3 6	In cash.
	54 – –	Interest and premium.
	1,854 – –	
170 6 –	– – –	Up to Aso Sood 30th, the same year, being the interest on the loan of 1,854 rupees.
7,591 5 –	– – –	In Sumvt. 1900 (A.D. 1843–44) as follows:
	40 5 –	Interest from Cartick Sood 1st to Maha Sood 5th.
	2,352 3 6	On Maha Sood 5th, as follows: *Rs.* 1,299 8 6 Gold, weighing 60 tolas and 1¾ wals. 1,052 11 – Amount due to Baba, on account of the loan of 1,854 rupees.
	1,318 3 –	On Shrawan Sood, as follows: *Rs.* 500 – – In cash. 818 3 – Gold, weighing 38 tolas.
	3,880 9 6	On Shrvun Sood 11th, in cash.
9,615 11 –		
2,064 11 –		Deduct.
7,551 – –		Remaining due to Baba.

		Rs.
Remaining due to Baba		7,551 – –
Deduct:	*Rs.*	
Credited on Sumvt. 1904 (A.D. 1847–48) Bhaderwa Sood 13th, the same having been debited on the same date on account of remission	550 – –	
For the remaining rupees (7,001), a bond, dated Sumvt. 1904 (A.D. 1847–48) Bhadurwa Sood 13th, has been passed by the Thakore	7,001 – –	
		7,551 – –

(True translations.)

(signed) *G. Fulljames*, Political Agent.

(No. 15.)

TRANSLATION of the Deposition of Colcedass Lulloobhoy, aged about 38 years, Hindoo, of a Banyan Caste, servant of the Thakore, of Bhadurwa, given on solemn affirmation, before the Political Agent, in the Rewa Caunta.

Question. Sahiba, widow of the late Thakar Jollimtingjee, of Bhadurwa, has written that your Thakar Surdarsing paid *Rs.* 7,025. 8. in ready money to Baba Furkey, and mortgaged him the Bhaelee Wanta, but did not receive money from him; what do you know in the matter?—*Answer.* My Thakor Surdarsing has not given rupees to Baba in the shape of bribe; the Bhaeelee Wanta was mortgaged to Baba in Sumt. 1900 (A. D. 1843-44), after he was out of employment, in return for certain rupees to be received. At the time the bond was entered into, I was present; but afterwards I returned to Bhadurwa on account of the death of my wife, while the Thakor and Doolunjee were at Baroda, and I do not know whether they did or did not receive the money.

Did Baba conduct the management of the village after the bond was passed?—Yes, for about two or three years.

Did you ever question the Thakor and Doolunjee in regard to the money, or did they tell you on the point?—As the accounts for the receipts and disbursements were at that time with Doolunjee, I had no need to ask him, and so I did not.

Dated 11th November, 1850.

(signed) *Caleedass Lulloobhoy,* written in his handwriting.

Before me, on oath,

(signed) L. Brown, Political Agent.

TRANSLATION of the Deposition of Colcedass Lulloobhoy, Banya Dusakhundayrta, aged about 38 years, inhabitant of Bhadurwa, occupation service at present, Carbharee of the Takar of Bhadurwa, given before the Political Agent, Rewa Caunta, on solemn affirmation.

Question. Did the Thakor give Bhaeelee Wanta to any one; if so, state to whom, and for what reason?—*Answer.* In Sumt. 1900 (A. D. 1843-44), in the month of Magh, it was resolved to mortgage the Bhaeelee Wanta to Baba Furkey; after passing a bond either in his or his son's name, the bond was accordingly passed, and the Wanta mortgaged, and the sum of 7,000 rupees, or seven thousand and five hundred mentioned in the bond, has not been taken.

Why was the amount mentioned in the bond not received; how long did the Wanta continue under Baba, and how much revenue he derived from it?—Why the amount of the bond was not received the Thakor should know best; it is his pleasure. The management of the Wanta continued under Baba from Sumt. 1900 (A. D. 1843-44) to 1902 (A. D. 1845-46). How much revenue he derived from it I do not know; but I remember that the Thakor has not yet received the amount mentioned in the bond.

It appears from your answer that Baba enjoyed the revenue for three years without paying the money; state, if you know, why he was allowed to do so?—The reason why the money was not received is, I suppose, that either the Thakor or Carbharee Doolunjee might have supposed that as transactions of thousands of rupees are going on, they would account for it; what other reason there was in not receiving the money, I do not know.

Who received the total revenue of Bhaeelee for Sumt. 1899 (A. D. 1842-43)?—I conducted the management in that year, and collected the revenue, and accounted for the same in the Thakoor's accounts.

In the complaint preferred by Nurbhaizam Gunesh against the Thakor, there is a bond of 19,951 rupees, dated Shrawunsood 3d, Sumt. 1899 (A. D. 1842-43), in which an item of 256½ rupees is written as caused to be paid to Luxmun Venayek, on Shrawunsood 3d, through Colcedass, on account of direct collections having been made from Bhaeelee, in the name of Luxmun Lallajee; what reason was there in paying this money to Baba in Sumt. 1899 (A. D. 1842-43)?—As many days have elapsed, I do not remember; but whatever may have been written regarding these 256½ rupees in the accounts already submitted before the Sirkar, is true.

You say that the revenue for Sumt. 1899 (A. D. 1842-43) has not been received by Baba Furkey, but Khooshal Vyed has produced a yad in your handwriting, in which it is stated that the revenue of Bhaeelee for Sumt. 1899 (A. D. 1842-43), has been received by Nurbhairam Gunesh; what is the reason for it?—In Sumt. 1903 (A. D. 1846-47), when the state of Bhadurwa was placed under attachment, Sowkars filed suits for their money; to answer these demands, a yad was made out from recollection; if what is written in it agrees with the proofs in the dufters, it is to be inferred that Baba has received money for that year. I do not remember at present.

Did

Did the Thakor pass any other bond besides that of Bhaeelee Wanta, in Sumt. 1900, (A. D. 1843-44)?—I do not know whether any other bond was passed, nor was any written in my presence; but if the Thakoor were cheated and made to pass any other bond, he and Baba should know it.

Dated 7th June 1851.

(signed) *Mehta Colcedass Lulloobhoy.*

Before me, on oath,
(signed) L. Brown, Political Agent.

(True translation.)
(signed) L. Brown, Political Agent.

(True copy.)
(signed) G. Fulljames, Political Agent.

— No. 12. —

MINUTE by the Right Honourable the Governor.

1. ON the 11th November 1850, the late Major Brown reported that a charge of bribery had been made against Venayek Moreshwur Phurké, founded on an entry in a book of accounts of a sum of 8,000 rupees paid to him, the delivery and the writing being sworn to by three witnesses.

2. The Political Agent was instructed to test and examine the evidence on which the charge was to be proved, and in case of doubt, to refer to Government for instructions; and that if he determined to try Venayek Moreshwur, he was to assure him of protection during the proceedings, and safe conduct out of the Gaekwar's dominions if acquitted, without which it was not to be expected that he would proceed to Baroda to answer the charges.

3. Captain Fulljames has now, in a letter, No. 342, dated 13th November, reported the result of the investigation taken, as ordered by Government, to discover if there were grounds for placing Venayek Moreshwur on his trial. He states that he has concluded the examination commenced by the late Major Brown; that he considers the charges to be the result of a deep-laid plot to effect the ruin of the accused; that they are amply refuted by the defendant; and he suggests the expediency of taking severe notice of the conduct of the accusers.

4. I should be much obliged to my honourable colleague, Mr. Bell, if he will favour the Board with his opinion on the evidence submitted by Captain Fulljames.

9 December 1851. (signed) *Falkland.*

— No. 13. —

MINUTE by the Honourable Mr. *Bell*, concurred in by the Board.

I CONCUR with Captain Fulljames, that the evidence which has been adduced is untrustworthy.

I see no objection to the suggestion contained in the concluding part of the 26th para. of his letter dated the 13th ultimo.

(signed) *A. Bell.*
Falkland.
D. A. Blane.

11 December 1851.

— No. 14. —

No. 27 of 1852.—Political Department.

From *A. Malet*, Esquire, Chief Secretary to the Government of Bombay, to Major *G. Fulljames*, Political Agent, Rewa Kanta.

Sir,

I AM directed to acknowledge the receipt of your letter, No. 342, dated the 13th November last, submitting the depositions taken on a charge of bribery preferred by Sahiba, widow of the late Thakoor Jellimsingjee of Bhaderwa, against Venayek Moreshwur Phurké, and to inform you that the Right honourable the Governor in Council is of opinion that the evidence which has been adduced against the accused is not trustworthy.

2. With reference to the first para. of my letter dated the 9th December, No. 6,466 of 1850, I am directed to inform you, that this inquiry being closed, you should intimate to Venayek Moreshwur Phurké, that if he wish to leave the Gaekwar districts he will be protected from any molestation from the Baroda authorities, provided he quits his highness's territory within an early period, to be fixed by the Resident (who has been addressed on the subject); but that if he remain within the Baroda limits subsequent to the expiration of that period, he will do so at his own risk.

I have, &c.
(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 5 January 1852.

— No. 15. —

No. 27 (A.) of 1852.—Political Department.

From *A. Malet*, Esquire, Chief Secretary to the Government of Bombay, to Lieutenant *M. J. Battye*, Assistant Resident in charge, Baroda.

Sir,

I AM directed by the Right honourable the Governor in Council to transmit to you copy of my letter of this date to Major Fulljames, Political Agent in the Rewa Kanta, and to request that you will afford Venayek Moreshwur Phurké such protection as may be necessary for the purpose therein indicated, fixing for his departure from the Gaekwar territories the earliest possible reasonable date.

I have, &c.
(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 5 January 1852.

— No. 16. —

No. 28 of 1852.

RESOLUTION of Government in the Political Department, dated the 5th January 1852.

RESOLVED, that the above extract from a letter from Major Fulljames, Political Agent in the Rewa Kanta, dated the 13th November, No. 342 of 1851, together with an extract from a Minute by the Honourable Mr. Bell, dated the 11th ultimo, concurred in by the Board, be transferred to the Judicial Department for consideration and disposal, the results being communicated to the Political Department.

(signed) *A. Malet.*

(True extract.)

(signed) A. Malet, Chief Secretary.

9.

Collection No. 1 of No. 91, Letter from, dated 3d December 1851.

BARODA.

Lieutenant-Colonel *Outram*'s Report on the Case of *Joetabhaee Setanee*.

TABLE OF CONTENTS.

No.	From.	To.	SUBJECT.	Date and Number of Document.	Date and Number of Consultation.	Page.
1.	Lieut.-Colonel Outram, C. B. Resident at Baroda.	The Chief Secretary to Government.	Submits his final Report, with Appendices (A.) to (N.), in the case of Joetabhaee Setanee, widow of Bechur Samuldass, head partner in the Banking Firm of Hurree Bhugtee of Baroda.	1851: 31 March 47.	- - -	315
2.	Minute by the Honourable Mr. Willoughby - - - - - - - - -			28 April	- - -	392
2 A.	Notes by Mr. Willoughby on Letter from Lieutenant-Colonel Outram - - -			ditto	- - -	393
3.	Minute by the Right Honourable the Governor - - - - - - - -			10 Nov.	- - -	399
4.	Minute by the Honourable Mr. Blane - - - - - - - - - -			24 Nov.	- - -	421
5.	Minute by the Honourable Mr. Bell - - - - - - - - - -			26 Nov.	- - -	422
6.	Final Minute by the Right Honourable the Governor, concurred in by the Board -			without date	- - -	422
7.	Chief Secretary to Government.	Lieutenant-Colonel Outram, Resident at Baroda.	In reply to his letter of the 31st March 1851, No. 47.	1 Dec. 422.	- - -	422

Bombay Castle,
3 December 1851.

A. Malet,
Chief Secretary.

— No. 1. —

No. 47 of 1851.—Political Department.

FROM Lieutenant-Colonel *J. Outram*, C. B., Resident at Baroda, to *Arthur Malet*, Esquire, Chief Secretary to Government, Bombay.

Sir,

I HAVE the honour to transmit to you a report on the case of Joetabhaee Setanee, with the accompaniments enumerated in the margin.* * *See* below.

2. In

* Appendix:

(A.) Correspondence between the Resident and Joetabhaee Setanee, subsequent to 2 March 1848.
(B.) Correspondence with the Durbar from August 1848.
(C.) Evidence relating to the will.
(D.) Yads addressed by Joetabhaee to the Durbar, in January 1849.
(E.) Correspondence with Government, subsequent to 29 July 1850.
(F.) Depositions taken at the Residency.
(G.) Yad from his Highness, dated 22 October 1850, and accompanying Proceedings of the Punchayet.
(H.) Depositions recorded by the Punchayet.
(J.) Correspondence with the Durbar on the subject of the Punchayet.
(K.) Judicial Commissioners' Report.
(L.) Medical Committee Report.
(M.) Analysis of the principal Evidence adduced by Baba Nafra in support of his Charge against Joetabhaee.
(N.) Evidence regarding Joetabhaee's pretended Confession.

2. In doing so, I do not consider that any apology is due, either for the length of my report, or for the delay that has occurred in its transmission.

3. Had there been no higher object to be attained than the infliction of punishment on Baba Nafra, I should not have deemed it necessary to impose on myself the labour of penning, or on Government that of reading any elaborate remarks; for great criminal as the Baba undoubtedly is, I do not anticipate any conspicuous moral effects from his punishment, till some decided measures be taken to uproot the here universal belief in the efficacy of "khutput," and it is only as one preliminary step towards uprooting that belief, that I do urgently plead for the infliction of the full punishment that has been awarded to him.

4. But far higher objects than the punishment of Baba Nafra have stimulated me to frame this report.

5. In reference to Nursoo Punt, against whom, not without good reason, I ventured in 1848 to express suspicions, Government observed,* "His Lordship in Council feels himself compelled to enter at some length into the charges alleged against Nursoo Punt, because, while it is an easy matter, and requires but few words to cast imputations on a native servant, and on general grounds, to declare him fraudulent and untrustworthy, his relief from such imputations cannot be so summarily effected." And in the spirit of that observation, they framed an elaborate paper, with a view of rebutting the since fully verified suspicions I had ventured to express regarding him. If the character of a talented and wealthy man, a man familiar with, and esteemed by many of the highest British functionaries, and one against whom no punitive recommendations were indulged, required that a full circumstantial elaborate defence should be placed on record by gentlemen of such vast talent as then formed the Bombay Government, a still more full, circumstantial, and elaborate document is surely demanded at the hands of an inferior officer, whose duty it is to assert the cause of a feeble helpless widow, the victim of one of the most foul conspiracies on record, one who has been nefariously deprived of her child, her liberty, her worldly wealth, and her good name, by her own unfaithful steward; one who has been over and over again denounced as an impostor by the officer whose duty it was to listen to her complaints, and redress her wrong, and one whose touching and truthful appeals were for three years addressed in vain to a Government whose protection had been guaranteed to her.

* Letter dated 12 Jan. 1849, No. 204.

6. To clear the character of this helpless and oppressed woman, it was necessary to show how opposed to the facts of the case were those representations of Captain French, on which Government rejected her appeals; and to have stated, or to have implied, that Captain French's representations were totally opposed to the fact of the case he professed to elucidate, without rigidly demonstrating the statement, and copiously illustrating its accuracy, would have been to lay myself open to be again charged by Government with "lightly aspersing the character of public servants," as I was charged by them when I ventured to express the now fully verified suspicions against Nursoo Punt, alluded to in the foregoing para.; and it was my bounden duty, when satisfied that Joetabhaee's character had been grievously and erroneously vilified by the local political officer, not only to clear it from the dishonouring and unjust aspersions cast on it, but to do so in so minute and circumstantial a manner as should prevent Government being again deceived through the intrigues of Baba Nafra's friends, or those of a corrupt residency native establishment.

7. Further, as I have had occasion to state in the preliminary section of my report, circumstances have occurred to impress the credulous "khutput" hugging population of Baroda, with the belief that the heartless and unprincipled persecutor of the widow, whose cause I plead, enjoys an improper and mysterious influence at the residency, and as will be seen from my report, a conviction that Baba Nafra's supporters in Bombay would contrive under some technical plea, to set aside the sentence passed on him, has prompted as well his judges as his friends in the durbar, to obscure still further the already involved and entangled circumstances and features of the case; and by irregular proceedings, to furnish pegs whereon technical pleas in arrest of judgment might be hung. Duty to the widow on whose heart-saddening case I report, and duty to the Government whose impartiality her prolonged and unredressed wrongs have caused

caused to be called in question, alike prescribed that I should notice, expose, and to the best of my poor ability, frustrate these disgraceful artifices.

8. The foregoing considerations will, I am sure, be deemed by the Right Honourable the Governor in Council, sufficient justification of the length of this report; and when I point to the mass of documents that accompany it, all of which I had to collate; when I mention that three different times, as fresh iniquities were brought to light, have I had to re-cast my report; and when I remind Government that I have had to conduct a weary and unprofitable correspondence with the durbar, with the view of arriving at the truth in certain matters, it will, I think, be allowed, that no excessive or unnecessary delay has taken place in reporting on the case of Joetabhaee Setanee.

9. I have said that the natives of Baroda, ardent believers in the efficacy of khutput, believe that Baba Nafra, in virtue of the immense wealth at his command, possesses an improper influence at the residency, and that he will yet succeed in having the severity of his sentence mitigated, through the efforts of his supporters in Bombay. I have referred to the introductory section of the accompanying report, as in some slight degree illustrating the grounds on which this belief rests; and I have now further to add, that but for the mischievous assurances which Baba Nafra has lately received from his friends in Bombay, he would ere this have made a full confession of all his crimes, in the hope of rendering others answerable as recipients, for a large portion of the defalcations in the funds of the firm; he had expressed his desire to do so on two occasions; but on each occasion his good intentions were overcome by the cheering intelligence sent to him from Bombay. The mischievous effects such a state of matters is calculated to produce, and does produce, are slightly alluded to in my present report, and will be very fully recorded in a memoir I hope ere long to be able to send in to Government, on the belief in the efficacy of khutput, which pervades all classes in Baroda; but I hope that Government will not delay such assistance as it is in their power to render me, till the receipt of that memoir; and they could materially assist me by officially communicating to Captain French their positive instructions, that he cease to interfere, directly or indirectly, in any cases pending, about to pend, or that have pended before me, without first obtaining the special sanction of Government for doing so.

10. The difficulties of my position are already sufficiently great, in consequence of the universal belief in the efficacy in khutput, and the belief that Baba Nafra will escape punishment through the aid of friends in Bombay, seconded by the legal subtlety of a leading barrister, and by the enormous sums that have been remitted to Bombay since the Baba's conviction.

11. There is one point that may perhaps be deemed by the Right Honourable the Governor in Council to require a few words of explanation—I allude to the fact of my having availed myself of the services of the Judicial Commissioners' sheristedar, to trace out the irregular proceedings of the punchayet appointed to try Baba Nafra, and of the aid of a medical committee, in determining whether Joetabhaee had ever been a mother; a point on which the punchayet professed to have doubts, and on their professed doubts regarding which they based their refusal to convict the Baba of the heavier charges preferred against him.

12. I can hardly conceive that any formal justification of my conduct in these respects is necessary; lest, however, it should be looked for, I beg to observe, that the case of Joetabhaee was essentially a judicial one; it had indeed political relations, but these simply arose out of the circumstance that the case had been at the first judicially investigated and disposed of. They were derived from the fact, that in Joetabhaee, the natives of Baroda beheld the victim of a foul and gross injustice, which had for long remained unredressed, and uninvestigated by the Government, to whose protection she was entitled, and which while it remained uninvestigated and unredressed, tended to diminish their respect for that Government. It at length devolved on me to investigate the case of Joetabhaee as a judicial case; and when in the course of that investigation two subsidiary investigations became necessary, one into the legality, genuineness, and validity of certain judicial instruments, the other into a contested question of medical jurisprudence, I deemed it my duty to render these two subsidiary investigations

as perfect and satisfactory as possible, by entrusting them respectively to an experienced judicial officer accustomed to conduct similar inquiries, and to a committee of commissioned officers, who had, as an element of their professional education, studied the principles and practice of forensic medicine. In so doing, I consider I was best consulting the interests of truth and justice, as well as the honour and dignity of the Government which had unwittingly been betrayed into a refusal of redress to a widow, morally and legally entitled to redress at its hands. As regards the medico-legal inquiry, it was particularly requisite that it should be entrusted to those personally qualified to conduct it, for the mere restitution of her property was but a trifling item of the redress she was entitled to at the hands of Government; her child, it was beyond the power of Government to restore to her; her long confinement, the sufferings she had endured, and the gross indignities to which she had been subjected, were accomplished facts, which could not be recalled, mitigated, or remedied, but it was possible to vindicate her fair name, which had been so grievously assailed by those from whom she sought redress, and the very least that could be done, was to render its vindication as complete and consoling as possible, by giving it the highest professional sanction within my reach to obtain.

13. These difficulties ought not to be enhanced by the conduct of the late Acting Resident; but that gentleman's conduct does tend very materially to enhance them; his erroneous views and statements regarding Joetabhaee's case, as developed in the following report, are familiar as household words in the mouths of the people of Baroda; his abrogation of the Government orders excluding her infamous persecutor from the residency was patent to the world, and will not soon be forgotten. That he admits the vukeel of Baba Nafra to confidential interviews, whose reports to his principal of what passes at such interviews (doubtless misrepresented, but receiving the man at all gives room for such misrepresentations), cheers the delinquent, and encourages his friends in frustrating my inquiries, and that he gives the barrister referred to as engaged by the Baba, the benefit of his advice and opinion in the Baba's case, are matters of general credence, and matters about which I believe no doubt can exist; and when to these considerations are added the fact, that he is a frequent visitor at the secretariate, Government will not I think be surprised that he should be looked on by the natives of Baroda as an active supporter of the infamous Baba, and that it should be supposed he has both the will and the power to screen his client.

14. As an illustration of the sort of interference on Captain French's part of which I complain, I may mention that while Narrain Row of my office was on a visit to Bombay, Captain French was only prevented by the remonstrances of a friend, from sending him to the barrister alluded to, to have his deposition taken in behalf of the Baba. This Narrain Rao (and Captain French is well aware of the grounds of my suspicions against the man) is one of those subordinates to whom I have referred in the preliminary section of my report, as remaining in my office to betray its secrets, to frustrate my labours, and to conspire against myself, simply because I am not in a position to furnish that strict legal proof required by Government in such cases of guilt, regarding which no moral doubt can exist.

15. That Captain French only means well, I of course believe; but good intentions do not neutralize the effects of mischievous acts; and after a perusal of my report, Government will, I am sure, admit, that such interference as Captain French is pleased to practise can only be mischievous.

16. The foregoing remarks were drafted on the 20th March, when I hoped that in a few days my report, and its accompaniments, would be out of the copyist's hands, I therefore allowed them to remain. On the evening of that day, however, I learned that Captain French, not content with the open advocacy of Baba Nafra, and with the partizanship displayed in the conduct just adverted to, actually presumed to declare to a friend in office, that before I went to Egypt, I had myself denounced Joetabhaee, and applied to her a most opprobrious epithet. I cannot, of course, believe that Captain French would tell a falsehood; I am, therefore, driven to the conclusion that he labours under some grievous and extraordinary hallucination. But the interests of those with whose protection I am charged, the dignity of the office I hold, and the honour of the Government,

I serve,

I serve, alike demand that Captain French should be restrained from circulating rumours regarding my official acts and opinions, which are not only devoid of truth, but which tend to destroy my usefulness, by representing me in the light of an unfaithful servant of Government, who pronounces without investigation on the cases submitted to him; and who calumniously assails the reputation of the unprotected and oppressed women who seek redress at his hands.

17. That I never could have expressed the opinions attributed to me by Captain French will be obvious on a perusal of the following report. It is evident by the trouble I took to smooth the way for the investigation I had vainly hoped Captain French would institute into Joetabhaee's case, and by the fact that I had insisted on that friendless woman being allowed the assistance of a vukeel. Not only did I never express sentiments similar to those attributed to me, but before leaving for Egypt, I mentioned Joetabhaee's case to Captain French as one that would require considerable vigilance, with a view to defeat the intrigues of Nafra and Nursoo Punt. But Captain French was pleased at once to take into his confidence those against whom I had cautioned him, and to display an active hostility to those I had confided to his protection. With his proceedings in this respect I have no immediate concern; but I do request that Government will insist on Captain French not promulgating unfounded statements calculated to weaken, if not to destroy, the moral influence of my office.

I have, &c.
(signed) *J. Outram,* Resident.

Baroda Residency, 31 March 1851.

Lieutenant-Colonel *Outram*'s REPORT on the CASE of *Joeetabhaee Setanee*; dated the 31st March 1851.

Introductory Remarks.

1. THE lady on whose case I am about to report is, as Government is aware, the younger of the two widows of the late Bechur Samuldass, head of the Baroda banking firm of Hurree Bhugtee. In virtue of the guarantee enjoyed by her deceased husband as member of the aforesaid firm, the Settanee is entitled to British protection, and for the last four years she has been a more or less constant petitioner for the interposition of the British Government in her behalf, alleging that the moonim goomastha, or managing agent of the firm of her husband, had abducted her only child; and that he had, by means of a foul conspiracy, and the wholesale subornation of perjury, defamed her character, subjected her to imprisonment, inflicted on her many personal indignities, and reduced her to destitution.

2. Circumstances, to be hereafter detailed, for long rendered nugatory her right of appeal to the British Government; but some months ago, revelations were unexpectedly made to me, which afforded strong reasons for believing that most, if not all, of her allegations were strictly true; that she had indeed been the victim of a foul conspiracy, a conspiracy sustained by the malversation of property partly her own, and one, unfortunately, indirectly promoted by the proceedings, as well of the Acting Resident, as of the Bombay Government, proceedings founded on a misapprehension of facts, and on erroneous information.

3. Under this belief I requested his Highness, the Guicowar, to bring to trial the moonim goomastha referred to, whose real name is Vanum Row Venktesh, but who is commonly called Baba Nafra, or Nafday. My request was complied with, and a punchayet, whose members were nominated by the Guicowar, was assembled to investigate the charges preferred against Baba Nafra.

4. Those charges were, 1st. That he had bribed certain kolies belonging to the British village of Meetapoor, falsely to assert that Joetabaee had purchased from them a boy, which she had passed off as the posthumous child of her deceased husband, with a view to defraud the other widow and child of that deceased banker of part of the property bequeathed by him. 2dly. That he

had suborned false witnesses to assert that the first spurious child having died, Joetabaee, with like fraudulent intent, supplied its place by another boy, purchased from kolies of Amleeara, a village situated within the Guicowar territory, but the property of the firm of Hurry Bhugtee, of which he (Baba Nafra) was the managing agent, and over which he exercised absolute control. 3dly. That he had procured the forcible abduction of the boy, whose spuriousness he had thus endeavoured to establish, by the subornation of perjury; and as the abducted boy, who died while in the hands of certain Arabs, to whose custody he had been consigned by Baba Nafra, it was further left to the punchayet to determine whether, in addition to the crime of conspiracy, subornation of perjury, and abduction, the Baba had not been guilty of the heavier offence of compassing the child's death.

5. The punchayet found Baba Nafra guilty of the first of these charges, and the shastrees, in awarding sentence on the punchayet's verdict, describe the convict as having effected his conspiracy "by the liberal outlay of money, and by a base forgery, Baba Nafra having caused a false deed to be written, thereby plotting against the Settanee, abusing the confidence placed in him by his employer, and making use of the said false deed."

6. On the second charge, the punchayet returned a verdict of "Not proven." This verdict they based on the difficulty which, they alleged, they experienced in determining whether or not Joetabaee had ever had a child; that is, whether the child forcibly abducted was Joetabaee's own child, as that lady alleged, or the child of an Amleeara kolie, as alleged by Baba Nafra,

7. On the third charge they found him guilty, in a degree necessarily modified by the nature of their previous findings. They pronounced him guilty of forcibly abstracting a child from Joitabaee's house, and though they left it undetermined whether the child was the offspring of Joitabaee, or of a kolie woman, still the shastrees observed, in summing up the punchayet's proceedings, that Baba Nafra had been guilty of "an unmerciful and brutal act," in consequence of "the lad having been delivered to the Amleeara kolie, without measures being taken to ascertain whether he was actually the son of the kolie to whom he was delivered."

8. And inasmuch as it had been in evidence before the punchayet, that at, if not prior to her husband's death, Joitabaee had declared herself pregnant, the shastrees observed, in adjudicating on the punchayet's proceedings, that "Sett Beechurbaee having placed unlimited confidence in, and entrusted the whole management of his pecuniary and private affairs to Baba Nafra," and Baba Nafra having "for the accomplishment of some nefarious end * * * omitted to adopt such measures as would have established the truth or otherwise of her statement, was guilty of great negligence;" and they added, "Baba Nafra having learned the abovementioned statement made by Joitabaee regarding her condition, and having omitted to institute such inquiries as to the truth or otherwise of the Settanee's statement, though to have done so was in his power, and having moreover allowed the name of his employer by such omission to be scandalized and disgraced amongst the people, he has been proved guilty of the commission of a great crime."

9. The aggregate sentence awarded by his Highness the Guicowar against Baba Nafra, for these several offences, was confinement in irons for seven years, and a fine of 15,500 rupees. Had he not been a Brahmin the punishment awarded to him would have been amputation of his hands and feet, and exposure on the public highway. Had he been convicted by the punchayet of the crime with which he stood charged, viz., the abduction of a Weesa Lar Wanee* child, in the person of Joitabaee's son, nothing could have saved him from imprisonment for life. In case of any but a Brahmin the punishment of death would have followed conviction of such a crime,

* The caste of Joitabaee Settanee.

10. But even this punishment requires the confirmation of the Bombay Government, it having been determined that a guarantee granted to the members of a firm, and their families, embraces also the servants of the firm. I therefore deem it my duty, in imploring Government to confirm what I consider to be a very inadequate award, to state at length the points on which I complain of its inadequacy; and in the following pages I think I shall be able satisfactorily to demonstrate,

demonstrate, that the evidence of the abducted boy having been Joitabaee's child is complete and conclusive; and that only a culpable sympathy with the culprit induced the court, composed of the culprit's own friends, as its proceedings show, to blink the evidence adduceable on this head.

11. My reason for establishing these points is not to induce Government to urge an aggravation of the punishment already awarded to Baba Nafra, but effectually to prevent its mitigation, and to satisfy Government that any clemency displayed towards the Baba would not only be intrinsically unjust, but would be productive of the most calamitous, moral, and political consequences, by confirming the idea, unhappily too prevalent in Baroda, that the great criminal under notice possesses some mysterious influence in Bombay, in virtue of which he can escape the just reward of his iniquities.

12. Availing themselves of the right to appeal enjoyed by Baba Nafra, in consequence of a liberal construction put on the guarantee* enjoyed by the firm of Hurree Bhugtee, the Baba and his friends are making powerful efforts, by petitions and otherwise, to enlist the sympathies of Government in behalf of that convicted criminal. And even should this agitation fail in the meanwhile to achieve its object, I have reason to believe that were death or any unforeseen accident to put a term to my incumbency of office, renewed attempts would be made, by influential friends of Baba Nafra, to reopen the subject, to upset, by fresh subornation of perjury, the evidence on which he has been convicted, and thus to obtain for him a mitigation of the sentence passed on him by his sovereign.

13. That this is no idle or imaginary fear I can easily demonstrate; and I deem it my duty to do so, that my opinions, and the grounds on which they rest, may stand on record, and be referred to should events verify my surmises.

14. In the first place, as Government is well aware, Baba Nafra is a man possessing immense wealth, and nearly unbounded influence at Baroda. He for long was the head of that combination of bankers whom, on the 22d February 1849, Captain French described as exercising a despotism over the Prince and durbar of Baroda; and partly through his own pecuniary resources, and partly through the commanding position he held in the firm of Hurree Bhugtee, whose funds he had for some years been misapplying, with a view to the promotion of his own schemes, he has been enabled to interest in his behalf most of the influential men in this part of the country, and this, not only through the distribution of patronage and gifts, and by advancing loans, but from being their confidential agent in delicate, personal, and family affairs; and, in more than one instance, their confederate in corrupt practices; his value in both capacities being enhanced by his connexion with Nursoo Punt, the late residency native agent. Whatever power is derivable from personal friendship, from gratitude, from fear of exposure, from pecuniary obligations, and from a lively sense of future favours, that power, in an inconceivable degree, does Baba Nafra even now exercise over most of the influential men in Baroda; for though temporarily in bonds, his sentence is but for a term of years; his friends confidently assert, that even this term will be abbreviated, and though he be not at large, his sons and relatives and creatures are so, and they can with great convenience wield all the Baba's weapons.

15. Government are well aware that the man possessing these great resources, and this vast personal influence, is one who would stickle at nothing by which he could bring them to promote his own interests; Government know, that so far back† as the year 1841 they themselves denounced him as one of the two "evil-disposed persons" whom his Highness the Guicowar was advised not to employ; and that in consequence of his complicity with the Dhakjee Dadajee affair, in 1843,

† Khurreeta, dated 8 February 1841.

* Resident's remarks on the guarantee roll, opposite to the grant to "Bechur Samuldass, proprietor of the firm of Hurree Bhugtee." No. 13, "Bechur Samul is alive. The British guarantee is as follows: In pursuance of the verbal assurances given by me on the 5th August 1809, under the authority of Government, of the same month, the family of the deceased shall be preserved in their rights and privileges, residence in Guicowar territories, subject to their own merits."—Signed, "*J. Carnac*, Acting Resident."

1843, they intimated to his Highness* that the Resident had been instructed to exclude Baba Nafra from the residency, as one of the parties engaged in that "disgraceful transaction." They know further, that in 1837, Mr. Malet, as officiating Resident, exposed† an infamous conspiracy conducted by this man, to ruin a guaranteed chief; Government moreover know, that they themselves convicted him of practising an enormous fraud, to the extent of nearly three lacs of rupees,‡ on an individual enjoying the British protection; and though they took no notice of it at the time, they knew that I adduced evidence designed to prove that, in the perpetration of that fraud, he was guilty of a crime equivalent to forgery; viz., the substitution of one document for another with felonious intent. They further know, that not content with corrupting the native servants of Government,§ Baba Nafra aspired to bribe Mr. Reid, late Member of Council; and not only are they well aware that he despatched an emissary to Bombay, invested with full bribing powers, to operate on that gentleman, but they know, moreover, that intermediate agents being required, they were sought for and obtained, in the Bombay secretariate itself.‖

* Khurreeta, dated 13 July 1843.

† Letter to Government, dated 15 December 1837, No. 893.

‡ Report, dated 31 August 1848, No. 209. Ditto, 30 July 1850, No. 179.

§ Letter to Government, dated 11 July 1850, No. 159.

‖ Letter to Government, dated 7 September 1850, No. 207 B.

16. All these things have before been brought to the notice of Government, and all will again be very fully brought to their notice in a memoir, which I have under preparation, illustrative of the circumstances that have led to the belief, here so prevalent, that the higher officers of Government are not inaccessible to corrupt influence. In the meantime it is unnecessary that I should enter on them at greater length. But I feel I should singularly fail in my duty had I not thus far alluded to them, as not only affording a complete justification of the excessive length of this report, but as supplying a valid reason why it should be attentively studied ere Government do aught that might be indirectly construed by the friends of corruption at Baroda into a confirmation of the popular belief, that Baba Nafra exerts a more than legitimate influence at the residency.

17. In my memoir on "khutput" I shall show, at length, the foundations on which this absurd, but not the less mischievous, belief rests; suffice it here to say, that it does exist, and that it has been confirmed by certain decisions of Government (those of Gorajee Pole, Govind Row Guicowar, Baba Furkey, &c.), in which verdicts were given unexpectedly favourable to Baba Nafra, and his friend Nursoo Punt, and unexpectedly unfavourable to those who had been employed in tracing out the rascalities of those individuals. It has been further confirmed by the fact, that no immediate or marked notice was taken by Government of the evidence adduced by me in reference to the ridiculous, but nefariously designed attempt to bribe Mr. Reid.¶ Additional confirmations have been derived from the fact, that during the whole of the persecutions of the unfortunate Joitabaee, the widow of a distinguished banker, enjoying our protection, Government never, in one way or other, interposed to secure a mitigation of the harsh treatment she suffered, though oft and loudly importuned by herself and her mother; while, on the other hand, no sooner was Baba Nafra placed in custody, prior to trial, than Government hastened to express a hope that he would receive good usage. The petitions of Joitabaee and her mother were simply in the ordinary official routine; and, one instance excepted,** with the ordinary official delay, sent to the Resident and Acting Resident "for report," while the petitions in favour of Joitabaee's persecutor, Baba Nafra, convicted by a jury of friends of a very heinous crime, and known to Government to be an unprincipled villain, have not been subjected to the same official delays. Thus one written on the 7th January was transmitted to me from the secretariate on the 8th, and not only was it sent without the loss of a single post, but it was sent not "for report," as petitions generally are, and as those of Joitabaee and her mother invariably were sent, but it was accompanied by a distinct order to the effect, that "pending the award†† of this case, he (Baba Nafra) should not be exposed to any unnecessary hardship or rigour," he being entitled to so much interference on the part of Government, in virtue of the guarantee held by the firm of which he was managing agent.

¶ Report on the 7th September 1850, letter, No. 207 B.

** The petition, dated 2 August 1847, which was transmitted on the 7th of that month.

†† *S. O.*

18. It is extremely painful for me to quote all these matters, as being regarded by the people of Baroda as evidences of the undue partiality towards Baba Nafra of a Government, in whose immaculate purity I have the most implicit faith; a Government whom I esteem and honour, and to evince my esteem and honour

for

for whom, by vindicating them in the eyes of the natives of Baroda, is the highest object of my ambition.

19. But it would be criminal in me to withhold from Government, that such is the fact; that despite the justice and humanity of their motives, the circumstances referred to operating on the minds of men thoroughly imbued with a belief in the efficacy of "khutput," have tended to confirm the idea, that Baba Nafra does exercise mysterious influence at the residency; and that his friends stand higher in the good graces of Government than those who have endeavoured to expose his rascalities. Such, then, I repeat, is the case; and so strong is the feeling I have spoken of, that the friends of corruption have given out, and the tale has been believed, much to the frustration of my inquiries on several subjects, that I have incurred the serious displeasure of Government by my crusade against corruption, and that more especially I have awakened the fears of influential parties by my proceedings against Baba Nafra. It has been rumoured that a commission will be sent to Baroda with a view to encourage those I have discountenanced, and that this commission will bring my authority into contempt by re-opening many of the questions I have investigated, and by upsetting many of the decisions I have given. Nay, in preparation for this commission, attempts were recently made to suborn evidence to prove that my proceedings against Baba Nafra in this very case derived their inspiration from an enormous bribe given to me by Joitabaee, and it is confidently asserted, that whether or not a commission comes to Baroda, my successor will be a man of a different way of thinking from myself, and that then the parties whom I have exposed will be amply avenged on my name and memory, as well as on those who had rendered me assistance, the latter being destined to be made the butts of a persecution like that which has rewarded Moreshwer Furkey for his long and zealous services to Mr. Malet and myself, in exposing the corruption of the political departments of Guzerat.

20. Under all the circumstances above enumerated, I deem no apology due for the bulk of this report. The interests of justice absolutely demand that I should place in the hands of Government a document so completely exhaustive of the entire case of Joitabaee Settanee, that should, as I anticipate, desperate efforts be made by Baba Nafra's friends to upset the decision of the Guicowar's court by fresh subornation of perjury, Government may be enabled to detect a fraud which, if successful, would inflict a heavier blow on the character of British justice than it has yet sustained in Guzerat.

PART II.—*The History of the Case of Joitabaee Settanee, to the Commencement of the Investigation conducted by Lieutenant-Colonel Outram, Resident at Baroda.*

1. To enable Government or the Court of Directors to form any idea of this case, it is absolutely indispensable that its early history be carefully studied; without such a study, it is impossible to form a just conception of the hardships to which Joitabaee was so long subjected, to comprehend the difficulties she had to encounter in urging her claims, and to appreciate the treachery by which Government and Captain French were unsuspectingly betrayed into decisions, by which, but for a providential dispensation, the gates of justice would have been closed on her for ever. The history is a long and an involved one. Its narrative necessitates the reproduction of many documents, and the introduction of many explanations; but its careful study is indispensable for tracing the true features, and appreciating the real merits of the case, for understanding the mutual relations of its several elements, for comprehending the villainy that was at work to obscure it, for testing the credibility of the several witnesses whose testimony is hereafter to be cited, for forming a proper estimate of the value of the evidence they gave, and for enabling us to try that testimony by the touchstone of dates, facts, and anterior probabilities.

2. The late Bechur Samuldass died on the 4th September 1845, leaving behind him two widows. The elder of these, named Mhaluxmee Baee, had borne a son called Purshotumbhaee, three years prior to her husband's death. The younger,

younger, Joitabaee, though she had not become a mother, avowed herself pregnant at the date, if not prior to the event; and on the 22d December it was announced that she had been delivered of a boy. Joitabaee received the usual visits and presents of congratulation, and the various ceremonies attendant on the birth and naming of a boy were solemnized in behalf of the child at the customary periods, and according to the established ritual of the caste. His Highness the Guicowar honoured their solemnization with his presence, and the Resident was invited to do so, though, according to his invariable custom, he declined to avail himself of the invitation. On the 13th February 1846, the child was betrothed in conformity with the usages of the caste, and the betrothal, according to established custom, was celebrated by a caste dinner.

3. Till February 1847, that is, for upwards of a year after the birth of Joitabaee's child, no question was made of its legitimacy, nor doubt expressed regarding its paternity. It had been duly acknowledged as the posthumous offspring of Bechur Samuldass, and was by all regarded as being, according to Hindoo custom, co-heir with Luxmeebaee's son Purshotum, to the estate of that deceased banker. But on the 26th February 1847, matters took a different turn; thus adverted to on the 22d of March of that year by Mr. Andrews, then acting Resident:—

"It was reported that some coolies had come to Baroda, and gone to the house of Bhanabhaee, the second wife's father, and raised a dispute with him, demanding, that as according to agreement the money of the child taken by him had not been paid, it should be restored; they then proceeded to the firm of Hurry Bhugtee, where the statements of the coolies were taken down in writing, and the principal people of the caste were assembled together, who decided also that Bhanabaee had committed a fraud, that he should accordingly be turned out of caste, and it was decided also that the child was a coolie;* a writing was executed to that effect. The second wife was then, in consequence of this, placed in confinement within a house of the firm. It is reported to-day, that a writing was taken from the second wife, acknowledging the child to be spurious, and a guard was placed over the house of Bhana, the second wife's father, and he and the inmates placed in confinement in the house. The child which had been up to this time in the house of Bhana, was taken to the house of Hurry Bhugtee's firm. Bana's wife, it was said, escaped, and went to the durbar to complain, but not being attended to, she has concealed herself somewhere for fear of being confined also. The affairs of the firm are conducted by the Moonim Goomastha, Baba Nafra under, a will or deed executed by Bechurbhoy before his death, appointing him during the minority of his (Bhechurbhoy's) son, Purshotum. This affair has been entirely conducted apparently within the house of the firm. His Highness has not publicly interfered, nor has any notice been taken of the circumstance, or been brought to the residency."

4. Again, on the 4th of April Mr. Andrews wrote as follows:—

"It is reported that the coolies who first came to Baroda for payment of the child went away, and two or three days after the acknowledgment had been made in writing by Bechurbhoy's second wife, that the child was spurious, and a guard had been placed over her father Bhanabhoy's house. A coolie and his wife belonging to Amleeara village, of the Baroda Purgunnah, which is held in mortgage and managed by the firm of Hurry Bhugtee, was sent for in consequence of some inquiries that had been instituted by Baba Nafra, and as they acknowledged the child to be theirs, it was given up to them; but a few days after Baba Nafra had it taken away again from them, and given to a coonbee, on whose house a guard was placed; from the above circumstances it is imagined and said, that the child first procured died of small-pox, and that the present child is the second that was procured. It is said that Baba Nafra has acted throughout this affair in a most authoritative manner, and that it is thought that he could not have done so without the secret concurrence of his Highness

* These statements, made by Mr. Andrews, on the authority of his native agent Nursoo Punt, whose complicity with Baba Nafra I shall hereafter have occasion to demonstrate, are utterly false. The caste never investigated the matter. Baba Nafra asked them if they would admit the son of a kolie into their caste; they, of course, replied in the negative. The Baba then assures them that Joitabaee's child was really the son of a kolie. On this assurance they turned her and her father out of caste.—*Vide* Appendix (J.).

Highness the Guicowar, and also that he must have been privy to the whole transaction throughout, as a spurious child could not have been introduced without his concurrence."

5. To these two communications Government replied on the 17th of April and 4th May, to the effect that "no notice need be taken of the occurrence therein specified, until a complaint is made by a guaranteed party."

6. I assumed charge of the residency on the 26th May 1847; on the 23d July I was directed to report on a petition which Joitabaee had addressed to Government on the 15th of June, and on the 17th of August a second and fuller petition, bearing date the 29th July, was sent to me for similar comment.

7. These petitions were written while the Settanee was in durance. She complained that she was the victim of a conspiracy concocted by Baba Nafra; she described herself as experiencing severe ill-treatment at the hands of that individual, and she assigned rapacity and revenge as the motives which influenced the Baba to assail the reputation of his master's widow, to steal her child, to seize her property, and to imprison herself and her father; and she implored that Government would afford her that protection to which she was entitled as the widow of a banker who enjoyed a guarantee. But these documents are less minute than the petition which her mother addressed to the Bombay Government, when after concealing herself for some time at Baroda to escape the harsh usage to which her husband and daughter had been exposed, she at length reached Bombay. The petition, dated 2d August 1847, was on the 7th of that month sent to me to report on. It described the causes and progress of the Baba's enmity with a minute circumstantiality which not only displayed a strong aspect of verisimilitude, but which subsequent investigations have powerfully confirmed, and it detailed with considerable minuteness the testamentary and other arrangements made by Bechurbhaee Samuldass prior to his decease, the birth of his posthumous child, and the events in the early history of the latter, which evidenced the fact, that till the 25th of February 1847, no doubts had been cast on his paternity. The petitioner then went on to narrate the misunderstandings which arose between her daughter and Baba Nafra, whose encroachments on her own rights, and whose oppressive conduct to her father, Joitabaee had resisted and resented, and she thus detailed the events that more immediately compelled herself and her daughter to throw themselves on the justice and protection of the British Government:—

"That your petitioner's inveterate enemy, Nafra, with the foulest motives, sent to his house a kolie, by name Ragvonath, his wife Ruleat, a bhat, and two witnesses, all inhabitants of Meetapoor, Sowlee Pergunnah. They accordingly came and gave out that they had disposed of a certain child for 2,000 rupees, and an annual payment of 200 rupees, for which they alleged a paper had been passed to them, and demanded either the child or the latter sum of 200 rupees. Bhanabhoy remarked to them that they were great cheats, and asked them at whose instigation they had got up the fraud, adding at the same time that he would apprise the Sirkar thereof, and get the matter sifted. Bhanabhoy was going down stairs for the purpose, when the rolico ran away. The same day, at night, Nafra assembled your petitioner's caste people, and inquired of them if they would continue in their community a person who proved to have the son of a kolie in his house, when they replied in the negative, and were made to subscribe to such a declaration put on paper. He then declared that Mooteelallbhaee was the son of a kolie. They in return asked him, where the kolies said to be related to him were, and expressed a desire to inquire into the matter. Nafra replied to them, that Bappoo Bhadoodas knew every thing about it; observed that they had no business to argue the point, and then turned them out. On the 3d of Chytur, when your petitioner and family were at dinner, Nafra despatched some 50 or 60 armed men, along with two goomashtas, as if for plunder, who seized your petitioner's house; and Settanee Mahluxmee Baee and the goomashtas urged that Mooteelal should be returned to a certain Tullaveea, of Amleeara, whose son (they said) he was; without waiting for a reply they caught hold of your petitioner's husband, Bhanabhoy, and locked him up in one room, and Mooteelallbhoy and his nurse in another. They were going to commit to custody your petitioner also, when she bawled out, which collected to the spot a number of people from the neighbourhood. These latter

began arguing with the marauders, and your petitioner took an opportunity in the interim to run crying, with a single cloth on her person, to the palace of the Sirkar, intimated the circumstance, and remained there from 12 A. M. to 7 P. M., without obtaining any redress. On the contrary, some person told your petitioner that it would be to no purpose for her to remain there any longer, for she might perhaps share the same fate that her kinsman had, and that therefore she should go and seek redress elsewhere. Your petitioner concealed herself in a certain person's house. The same day, at midnight, Moteelall and his nurse were taken to Hurry Bhugtee's house, and the jewels, &c., which were on his person were removed. Your petitioner's house was also attacked, the doors thereof were locked up, and it was placed in charge of a party of sepoys. That Moteelal is under the custody and charge of about 25 men, in the Patel's house, at Amleeara. Your petitioner's husband is also placed in confinement. That in order to submit a representation of her grievances to Government, she proceeded to Jumbooseir and made two petitions to your Honourable Board, dated the 4th and 20th April 1847 respectively, and, in reply, was informed that her case was under consideration. Your Honor in Council will observe how daring Mafra Amere, servant of Joitabaee's, has been to exercise such extreme oppression towards her and other persons, without the knowledge of your Honourable Board, under whose guarantee they are. That as your petitioner was in a state of concealment at Baroda, lest she should be confined, and no chance of obtaining redress be left to her, and as she had no male relation to help her, she could not submit her case to the Resident."

8. As has already been seen, there were many circumstances rendering it in the highest degree improbable, that the allegation of the child being the son of kolie was other than a gross fiction. For upwards of a year no hint had been breathed to that effect; the birth of the child had been celebrated with much pomp, the festivities being honoured by the personal attendance of the Guicowar; equally distinguished had been the ceremony of naming; the boy had been subsequently betrothed to the daughter of a respectable member of the banking community; and the betrothal had been celebrated by a caste dinner. In addition to these points, Joitabaee's mother, in her petition, alleged that his Highness had ever treated the little boy as affectionately as if it had been her own son.

9. The petitioner went on to complain that Baba Nafra, not satisfied with conspiring against the reputation, happiness, property, and freedom of her daughter, had dismissed the servants of the firm who had objected to his proceedings, replacing them by creatures of his own, with whose aid she had little doubt the Baba would proceed to falsify the account-books and other documents, by which her daughter's pecuniary claims must be established. She therefore entreated that, with the view of protecting the interests of the deceased bankers' widows, and of doing justice to all parties, a commission might be appointed to conduct the business of the firm till the merits of the charges against her daughter had been impartially investigated. And this commission she fairly enough suggested should consist of three persons, one to be nominated by the Resident and one by each of the widows. She implored that an investigation into the truth of her allegations might be instituted at the residency, and since, as she truly enough alleged, "most of the persons on the establishment of the Resident were prepossessed in the favour of Nafra," she begged that the Resident, instead of delegating the inquiry to his subordinates, should be instructed to conduct it in his own person. All that she sought was an inquiry; but till the inquiry was brought to a close, she prayed that her husband, her daughter, and her grandchild, then held in rigorous custody by her daughter's servant, Baba Nafra, should be allowed to come into camp, and live under British protection. She further entreated, that she herself might be allowed to appear before the Resident by proxy, in the person of an accredited agent. She alleged that the crime (of which he has since been found guilty) was one that by the Bombay regulations amounted to the worst species of "conspiracy;" and such being the case, she entreated that he should be placed in confinement, and bail refused him. She further desired, that "in consideration of the lacs of rupees, in the form of jewellery, &c., he had 'appropriated,' his property should be placed under attachment."

10. There

10. There was not one of these requests compliance with which would not have been morally just. Baba Nafra was accused of having organized a most diabolical conspiracy against the reputation, happiness, and property of the widow and orphan of his late master. This accusation so completely affected his character for integrity as an agent as to render it strictly just that, pending the inquiry, implored by the complaining widow, he should be suspended from his office, and that during his suspension the affairs of the bank should be placed in the hands of a triumvirate commission, nominated, as Joitabaee's mother had suggested, in equal proportions, by the British Resident, and each of the two widows, whose interests were at stake. The strict justice of the request, that Baba Nafra should be suspended from his office in the bank is still more apparent, when it is borne in mind that the individual referred to was a man whose gross depravity was well known to the Government to whom that request was preferred. And still further, does the justice of the request shine manifest when it is remembered that the true character of Baba Nafra, in all its phases, was better known to the petitioner at the date of her petition than it even now is to Government and myself. And if aught more is required to demonstrate the justice of the request under notice, it is the fact, that subsequent investigations have satisfactorily proved that the petitioner indulged in no groundless fear, when she apprehended that Baba Nafra would avail himself of the wealth of the firm he mismanaged to suborn the perjury by means of which his master's widow was to be sacrificed, and that he would falsify the account books.

11. Equally founded on abstract justice, and equally supported by truth, was her request, that owing to the majority of the residency establishment being in the interest of Baba Nafra, the Resident should himself be directed to conduct the desired investigation. Most of the persons in the establishment of the Resident undoubtedly were, and that, moreover, to a very sad and very mischievous extent, prepossessed in favour of Baba Nafra. My native agent, Nursoo Punt, had succeeded in establishing unlimited influence over all the subordinates in my office, partly by the seduction of those he found there, and partly by the introduction of his creatures as vacancies occurred, some of whom still remain to betray my confidence and the secrets of my office, from my inability, legally, to establish that of which, morally, there can be no doubt. The man having this influence was the relative and friend of Baba Nafra, and, as the sequel will show, Joitabaee's protracted sufferings, and the apparent leaning to her persecutor, which has so materially tended to injure the British Government in the estimation of the native public of Baroda, are clearly attributable to the malign influence of his evil name.

12. And not less just than the requests noticed in the two foregoing paras. was the one preferred by the petitioner, that the Baba should be confined pending the investigation. For considering what I have said of Baba Nafra, it will, I think, be admitted, that the interests of justice demanded that the mischief-making capabilities of this person, involved in a charge of gross and foul conspiracy, should be limited as far as possible; and to do so required not only his suspension from the office he held in the bank, but his confinement, pending inquiry, as the only means by which it was possible to check the exertion of his enormous personal influence for the perversion of justice.

13. Summing up the foregoing remarks, it appears, that while a certain degree of *à priori* improbability attached to the charge brought against Joitabaee, the story told by that lady and her mother was a plain, intelligent, and not very improbable story. It has been seen that they accused Baba Nafra of having, from feelings of resentment and avarice, conspired to blast the reputation and fortune of his master's widow, and to disinherit one of that master's heirs, by asserting the boy to be the son of a kolie. And it has been further observed, that all either Joitabaee or his mother sought for was an inquiry into the justice of their allegations, and pending that inquiry the adoption of measures intrinsically just and reasonable.

14. But though there was not one of these petitions the adoption of which would not have tended to the furtherance of justice, it was not within my power to deal with their case as a question of abstract justice. I exercised no primary jurisdiction in the matter, legal or equitable. All the principals concerned were subjects of the Guicowar, and though, as enjoying the British protection, they

were entitled to appeal from his Highness's decision, they could only come before me as appellants after some decision had been given by the durbar.

15. Whatever might be the actual merits of the case, I had good reason to believe, that from no tribunal the durbar could appoint was strict justice to be looked for on the part of Joitabaee; for I knew the thoroughly unscrupulous character of her adversary, his strong and widely ramifying influence, and the immense power he wielded through the pecuniary resources at his command. But I could not, without unwarrantably hurting the feelings of his Highness, and appearing to trench on his authority, communicate to him my impressions on this subject. And any steps I might have taken to procure a compliance with the requests preferred by Joitabaee's mother, pending an investigation in which I could myself take no part, would only have tended to the prejudice of the petitioners, by exciting to the utmost the wiles of the man against whom they complained; and by affording Baba Nafra's friends in the punchayet an excuse for retarding that decision, the delivery of which was necessary to enable me to interfere in the matter. All therefore that I could do was to watch the progress of the case, to mitigate, so far as in me lay, any gratuitously excessive hardship to which the petitioners were exposed, and to encourage the prosecution of the inquiry by the durbar.*

16. But dreading that interference on the part of the Resident which must result on the completion of such an inquiry, it became an object with Baba Nafra and his friends altogether to prevent, or at all events to retard, investigation. It was not accordingly till the 18th September that I obtained the Guicowar's acquiescence to have the matter subjected to the investigation of his own court; and owing to delays arising out of the difficulty of bringing witnesses together, it was late in November till the punchayet commenced its sitting.

17. On the 26th of November, in reply to a demand made by the Bombay Government for any report on the several petitions already referred to, I intimated that the case was being proceeded with by a punchayet appointed by the durbar; I explained the causes which had retarded the meeting of that court; I alluded to the intricacy of the case; I expressed my fear that some time must elapse ere I could furnish my own report, as it might be requisite to test much of the evidence recorded by the Commission after I had received its proceedings, and I begged that in the meantime Larbaee, the mother of Joitabaee, might be directed to leave Bombay, and repair to Baroda for the purpose of being examined by the punchayet.

18. On the 6th December 1847, Mr. Chief Secretary Malet intimated my wishes to Larbaee, and directed her to proceed to Baroda, and report her arrival to me. Larbaee, however, did not comply with the directions of Government. She remained in Bombay, and on the 6th of February addressed another petition to Government, in which, while she assigned mental anxiety, physical ill-health, and the poverty which prevented her from obtaining the services of any one capable of communicating her difficulties and sorrows in English, as reasons for her delay, she clearly indicated that the real cause of her non-procedure to Baroda was a determination not to give even a tacit acknowledgment of the legality or competency of a tribunal which she believed to be one composed of the personal friends of her daughter's persecutor, and one predetermined on a decision adverse to her daughter's claims. She thus clearly and accurately described the composition of the court appointed to adjudicate between her daughter and Baba Nafra, and protested against any tribunal so iniquitously constituted: "Your petitioner humbly begs to know of the nature of the inquiry mentioned in the order, and the persons before whom the inquiry has been or is to be carried on; whether it is after the manner and before the authority as requested by the petitioner. This she fears is not the case, because she has been given to understand from private, but at the same time most credible authority, that the inquiry is not carried

* I obtained her release from the close and unwarrantable confinement to which she had been subjected at the hands of one who was really only her servant, and permission to join her mother. But my endeavours to mitigate Joitabaee's hard lot were subsequently rendered nugatory by Baba Nafra, who again placed her under guards at her mother's residence, and by way of giving a screening legitimacy to her imprisonment, reinforced his own guards by others from the Guicowar through the assistance of friends in the durbar.

carried on by the Resident himself, but by his Highness, who has nominated four individuals, namely, Gopal Row Myral, Meer Surfraj Allie, Trimbuck Shastree, and Bappoo Shastree, for the investigation of the matter. That the character of these persons is most questionable, and your petitioner judges from the present state of things, that they have been nominated in order to allow of their excluding themselves from giving their testimony in the case, and thus of concealing the tricks and rogueries of Nafra and others, and disabling your petitioner from proving her assertions. That your petitioner has a very great objection to allowing these persons to judge her case, for these individuals are more or less under the influence of his Highness, and prepossessed in favour of Nafra, and besides, these are the four principal witnesses in her case, whose testimony is essential for the consideration of the truth of her cause. That Gopal Row Myral is the person who knows most of the matter, and who is much to be interrogated before the Resident in order to prove the truth, and who, if excluded by being made one of the judges, will greatly ruin your petitioner. That Meer Suffrazallie is the most intimate friend of Nafra, and his principal supporter, as well as one of the ringleaders in this evil combination, and if he be suffered to sit to judge in this matter, he will most unquestionably take the part of Nafra, and thus spoil the whole business. That respecting the other two, viz., Trimbuck Shastree and Bappoo Shastree, much is to be said which could not for some reasons be stated here," (doubtless alluding to their having been brought by the Nafra), "but which will all be revealed before the trial. * * * Besides, Nafra has great interest with his Highness, inasmuch as he has in a measure profited the Guicowar Government in a way which could not be mentioned here, and that he has a very great supporter in Gunesh Punt, who is the sole manager of his Highness, and who is a close relation of Nafra, (his son having been married to Nafra's daughter), and it is more natural that Gunesh Punt, in order to escape himself (for he also is concerned in this evil combination), will try his best to have the balance of justice in favour of Nafra, his relative. * * * That since the above is the case, your Honourable Board will instruct the Resident to suspend such an inquiry, and investigate himself the unjust and arbitrary proceedings carried on by Nafra towards your petitioner, Joitabaee, her son, and others, and appoint one agent on behalf of Mahaluxmeebaee, and another on behalf of Joitabaee, and himself to preside, to restore the affairs of the firm to their original position. Should your petitioner's solicitations be rejected, and the Resident be directed to bring her case to a hearing, she fears that she will have to experience almost unsurmountable difficulties in bringing to light all the rogueries of Nafra, since possessed of the immense wealth left by the late Bechurbhaee, he will no doubt spend lacs of rupees in buying the evidence of the people, and will ultimately ruin your petitioner's relatives. * * * That as Nursoo Punt, and most of the carbaries of the establishment of the Resident are more or less attached to Nafra, on account of his influence and great interest with his Highness, your petitioner prays that the Resident be instructed not to let these persons, or any one else, learn the circumstances of this petition, lest they should communicate with him on the subject, and he attempt to escape, and injure your petitioner, and others."

19. Considering the constitution of the court, which she accurately described, and the means of bribery at the command of Baba Nafra, in virtue of his still being at the head of his deceased master's bank, and considering further that her husband and daughter were still under the most rigorous durance, it is not surprising that Joitabaee's mother should have protested against submitting her case to a tribunal from which she could not expect to obtain justice. My only wonder is, that she and her daughter should have been so ready to submit the case to the investigation of the Resident, knowing, as they did, that most of his establishment were "prejudiced in favour of the Nafra," and aware as they were of the family connexion, and personal friendship subsisting between their adversary and Nursoo Punt, the head of the Residency establishment, a man who had been supposed by the natives to exercise almost unlimited influence over former Residents, and who might still be supposed to exercise influence over myself, as at that time my distrust of him had not been evinced.

20. Joitabaee herself, no less than her mother, protested against the court to whose adjudication her case had been referred, as will be seen from the following petition, addressed to me on the 24th February 1848: "I cannot approve of the arrangement in this case, for there is so much partiality and ill-feeling going on,

and all sorts of endeavours are made to exculpate Baba Nafra. The evidences of several of his Highness's subjects are very necessary in my case, and I cannot understand the proceedings of the punchayet, who carry on the investigation without reference to me, with a view to injure me as much as possible, and they persist in inquiring into things they have no business with, which is to me very surprising. I preferred a petition to the British Government, relative to the ill-treatment I have received at the hands of Baba Nafra, against whom the charge of conspiracy ought to have been established, instead of which his Highness has relinquished this, and charged me with the offence according to the Baba's original complaint against me; but I beg to remind you, that I told you, in the first place, that I had no confidence in his Highness's Killadar, upon which you desired me to proceed to the Durbar cutcherry, after doing which you promised to investigate the matter; accordingly, I went to his Highness's cutcherry, and from the appearance of the four persons there assembled" (meaning that, on seeing the members of the punchayet, she recognized in them partisans of Baba Nafra), "I thought they were belonging to the plaintiff: I was obliged to make a short statement before them; but the petition which my mother presented to the Bombay Government contains a detailed account of the case, which I could not give, because I did not like the appearance of the people, and was very much afraid of them. I requested an authenticated copy of my statement, but it was refused, because they hoped to accuse me of prevarication. When I reported these circumstances to you, you desired me to appoint a vukeel, as I did not know how to carry on the investigation properly, upon which I sent for a trustworthy person, who will be here in a few days. This case has been going on for the last eight months, and I am at a loss to know what has been done regarding it; therefore I request to be favoured with an authenticated copy of the proceedings; after perusing which, I will inform you of whatever I may have to say on the subject. I further beg to acquaint you, that the inquiries into this case are not carried on justly at the Durbar, and request therefore that, agreeably to my mother's and my own petition, you will investigate the case at the Residency, when all the fraud and rascality connected with this business will be brought to light. My father is not at present able to wait upon you, in consequence of sickness; but when he recovers, he will call upon you."

21. At last, in March 1848, Joitabaee's mother came to Baroda; but she still objected to, and refused to appear before the tribunal appointed by his Highness to investigate the case; and though it is obvious that her moving principle was a disinclination to acknowledge the jurisdiction of a court composed of the friends of an unscrupulous adversary, who had enormous means at his disposal for bribery purposes, still I am bound to state that the conduct of that court, by its unnecessary harshness, afforded her not unreasonable pleas for neglecting its various summonses. While the depositions of other females were taken, and their cross-examinations conducted at their own houses, the mother of Joitabaee was ordered to repair before the punchayet, and stand public examinations, and against this she reasonably enough protested, as an unnecessary and unjustifiable indignity.

22. It was, of course, most annoying to be constantly assailed with petitions by those who refused to comply with forms, after their compliance with which only could I interfere in their behalf. But I felt so completely the moral force of their feelings and motives, that I bore the annoyance with patience for many months. But my health began to fail; my medical advisers insisted on my leaving Baroda for a time, and I was desirous that the proceedings of the punchayet should be closed before my departure; so that, though I might possibly be unable to complete a review of them before I left, I might, at all events, hand over the case to my successor in such a form as materially to lighten his labours. I therefore, on the 19th August, addressed a letter to Joitabaee, telling her that it was useless in her to persist in sending me petitions, as I had not the power of interfering in her behalf till after the decision of the punchayet had been given; I explained to her that that decision could not be given till her mother's depositions had been taken; I reminded her of the reiterated efforts made both by the Durbar and myself to induce her mother to submit to examination; and I wound up with assuring her that if through her mother's recusancy any further delay was occasioned, I should write to the Bombay Government, and suggest that it should altogether withhold its friendly interference. At the same time, however,

Appendix (A.) No. 8.

however, as her mother had latterly assigned indisposition as the cause of her non-attendance before the punchayet, I had, on the 17th, ordered Dr. Davies, the Residency surgeon, to visit her, and report on her state. That gentleman certified her to be in such a state of health as rendered it unsafe for her to be moved. I had, therefore, requested that the Durbar would instruct the punchayet to take her evidence in her own house; and, in urging Joitabaee to prompt her mother to submit to an examination, I intimated to her the relaxation I had obtained from the original demands of the punchayet.

23. On the 22d August, the subjoined communication was sent to me from the Durbar, having been received from the punchayet: "Larbaee up to the present day has been putting forth excuses to obviate her attending at the investigation, and at present the doctor sahib certifies that she is sick, and if in her sickness Bappoo Shastree and Trimbuck Shastree should go and take her deposition, hereafter Larbaee will be at issue with the kamdars on the subject, and put forth other excuses; and as she is putting up at Vukeel Rugoobhaee's house, how can her deposition be taken there, and this case be decided, because in this case Larbaee is the principal, and as it is necessary after her deposition has been taken she should be confronted with the parties concerned in this case, which should take place in presence of we four persons, and if such does not take place, how can this affair be adjusted?" Appendix (B.) No. 2.

24. These objections of the punchayet were simply frivolous evasions and subterfuges; Larbaee's former recusancy had been most grateful to them, as affording them a pretext for delaying, or for altogether withholding their report, on the ground of that lady's evidence being essential. The plan I now proposed in strict unison with the punchayet's practice towards other ladies, deprived them of the pretext, and hence the objections above recorded.*

25. In reference to the plea that Larbaee might afterwards come to issue with the kamdars (members of the punchayet), alleging that her deposition had been forced from her when prostrated by sickness, I thus addressed the Durbar on the 24th of August:—

"When the Guicowar's kamdars are about to go to the quarters or Larbaee to take her deposition, intimation should be sent to the Resident, when steps will be taken to cause the attendance of the doctor, for the purpose of seeing whether she is in a fit state for undergoing examination, and, should it be the desire of his Highness, the native agent can also attend on behalf of the Resident, under which precautions any excuses of the nature indicated, if ever advanced by Larbaee, would not be taken into consideration. Therefore, of the members the two Shastrees should go to Larbaee's house to take her deposition; but there is no occasion that Meer Surpezallie and Gopal Row Myral [being of rank] need attend there. No objection appears to the Resident to their carkoons being permitted to attend on their behalf. His Highness having taken these circumstances into consideration, should adopt measures for the depositions of Larbaee being soon taken, in order that the adjustment of this case may be early effected, the affair brought to a speedy termination, and the proceedings resulting from the same transmitted (to the Resident), as formerly requested." Appendix (B.) No. 3.

26. When the deputation at length went to take Larbaee's evidence, as neither that lady nor her husband could read or write (the latter at least only very imperfectly), she not unnaturally desired that her vukeel [or a carkoon] should be present to see that the written deposition she was called on to attest was actually that which she had orally delivered. That such a precaution was, in her case, far from a frivolous or vexatious one, is painfully evident from the fact that in the previous November her daughter Joitabaee had officially complained to me* of spurious documents having been substituted for the depositions she had actually made. Nay, so inveterate and unblushing is this kind of villany at Baroda, that spurious interpolations favourable to Baba Nafra were introduced into evidence given before the second punchayet assembled at my

* *Vide* note in following page.

* The thorough dishonesty of this plea has received a signal illustration in the conduct of the punchayet who tried Baba Nafra, in part similarly composed as the former punchayets. That body have summarily rejected the evidence, not only of Joitabaee's mother, but of all her relatives, as being interested parties.

my instance, even though that court knew that I should institute a rigorous examination into the proceedings. Thus reasonable and necessary was the precaution which Joitabaee's mother wished to take; but had the precaution been an unnecessary one, it was one which no body of men, really anxious to bring the inquiry to a termination, would have objected. But they did object.*

27. On the 1st September, Bhanabhoy, father of Joitabaee, and husband of Larbaee, came to the Residency, attended by a goomashta, to explain that Larbaee had only refused to be examined from the fear that the assistance of a carkoon to verify her deposition being denied to her, they would attribute to her in the record what she had never said, and withhold much that she really did say. I replied that I was very angry with his wife for making any such objections, inasmuch as they reflected on the integrity of high officers of the Durbar. I told him to communicate to her my injunctions that she should not only give her evidence in any way the punchayet might choose to direct, but comply with any arrangements prescribed by that body, however unreasonable they might seem to her; and I assured him that, if his wife did so, good care would be taken when on the closure of the punchayet's proceedings the case came under re-investigation at the Residency, to test the fidelity of all the court's records, statements, and depositions. Bhanabhoy agreed that his wife should give her depositions with no one present in her behalf, save himself, and to his presence, of course, the punchayet had never objected, and could not object. I expressed my satisfaction at his ready submission to my orders, and I directed him to communicate to his Highness his own and his wife's entire acquiescence in all the wishes of the punchayet.

28. My advice was complied with, so far as it was in the power of these unfortunate people, as will be seen from the following extract from a yad I addressed to the Durbar on the 4th September:

Appendix (B.) No. 4.

"This day a yad has been received from Joitabaee Setanee, enclosing a yad to the address of his Highness the Guicowar, in which it is stated that her goomashta attended for two days with the enclosed petition for the purpose of presenting it to his Highness, but was prevented doing so; consequently the said petition to the address of his Highness, and copy of Joitabaee Settanee's yad giving cover to it, are herewith transmitted, from which his Highness will become informed of all the particulars, and it is requested that for any impropriety

* A verbal communication having been made to me by the Durbar Vukeel on the morning of the 29th November 1847, that Joitabaee Settanee's examination had been taken on the previous day, which she contumaciously refused to sign, I directed Nursoo Punt, the native agent, to accompany the shastrees in the afternoon to the place where she was confined, to read her deposition of the previous day over to her, as well as that of the 21st, to ask her if they were correct, and if so, to direct her to sign them. What Nursoo Punt represented on the occasion will be seen from the following yad which I addressed to the Durbar on the 2d December:

Accompaniment No. 32, to Captain French's letter to Government, dated 15 Nov. 1848, No. 282.

"I have the honour to forward, for your Highness's information, copy of a yad presented by Bhanabhoy on behalf of Settanee Joitabaee, widow of Bechur Samul, dated 1st instant, in which it is stated that Joitabaee, on hearing her former depositions read to her on the 29th November, entertained doubts as to their correctness. But I am given to understand that when her depositions were read to her in the presence of Trimbuck Shastree, Bappo Shastree, and Nursoo Punt, she made not the slightest objection to them; therefore the Baee should be consulted, and arrangements made accordingly. The request contained in the yad for a person to assist Bhanabhoy is worthy of your Highness's consideration."

Enclosure to the above Yad from Joitabaee Settanee, dated 1 December 1847.

This is a more full and correct translation than that which accompanied Captain French's letter of the 15th November.

"The sahib kindly ordered that as the investigation of my case was impending before the Guicowar, and that subsequently Bhanabhaee should be directed to attend at the Durbar, and afford every information on the subject which might be required, I did not intend to have gone to the Guicowar Sirkar, but respecting the commands of the sahib I went there, and my father was made to give his deposition in the Mhandwa Kutcherry, and Shastree Trimbuck Munohur and Shastree Bappoo; these two persons came to me, and took my deposition, and the whole of that deposition in Kartick Vud 7th, Sumvut. 1904, when Nursoo Punt had come to me, was read over and explained; but at that time I found out that a changed version of the deposition made by me had been substituted; therefore I declared that I would submit the same for the information of the Resident in a yad, therefore the present memorandum is submitted. In the deposition taken from me there are inaccuracies in two or three different places; therefore it is requested that if my case be investigated before the Resident, some measure be adopted to ensure true and faithful depositions being taken. And the Guicowar Sirkar causes the deposition to be taken at night, and my father made to sign; but my father in his old age is quite unable to read the whole of such depositions, and labouring under sorrow about the child, he has become quite distressed; therefore I beg that the Resident will give permission for a person being engaged to assist my father in reading and understanding the deposition."

This more particularly refers to her pretended deposition taken on the 21st November, respecting which she was examined by the medical committee, who were fully convinced that she could not

propriety Larbaee may have been guilty of she may be forgiven.† This the Resident considers necessary, also the prayer of Joitabaee's petition should be taken into consideration, and the Guicowar officer also should be again directed to proceed to Larbaee's house, and take her deposition. This is the advice of the Resident, which is written for his Highness's information."

29. A short time after I had despatched the above yad and its accompaniments, I received the following communication from the Guicowar of the same date, the contents of which will sufficiently explain why the goomashta sent to intimate Larbaee's acquiescence in the punchayet demands was prevented from obtaining an interview with his Highness. Such an interview would have deprived the minister and his colleagues of the only plea on which they could succeed in withholding their proceedings, and thus further the interests of Baba Nafra, by preventing the case coming before me on appeal. Appendix (B.) No. 5.

"A yad having been received from the Residency, dated 24th August 1848, No. 886, stating Larbaee is sick, whose evidence is required in the investigation going on regarding the son of Joitabaee Setanee, widow of Bechur Samuldass, accordingly Meer Surfra Allie, and Gopalrow Myral, were desired to send Trimbuck Shastree, and Bappoo Shastree, to Larbaee's house and take down her deposition. These persons accordingly went there, but Larbaee would not give her deposition, and disputed with them; they therefore returned without taking the evidence. The two first-named persons presented a yad with the Rozkam (diary) to this Government, copies of which are herewith forwarded. I beg to state that while the proceedings in this case are about being closed, Larbaee has refused to attend and give her deposition; that Joitabee before prevented persons from being examined at the Durbar. From this cause this case has been pending for one year, as will appear from the yad of the four kamdars on this subject. I therefore request that the Resident, after taking the above matter into consideration, will write to the Bombay Government in a clear manner, so that it may be informed of the reason of this case having been so long pending."

30. In reply to this, I again addressed the Durbar on the 6th, recapitulating my yad of the 4th, and expressing my hope that his Highness would give attention to the requests therein made. My motive for recording this iteration of my requests, was to afford my successor an impregnable ground on which to take his stand, in insisting on the examination of Larbaee being taken, and the inquiry brought to a close. Appendix (B.) No. 6.

31. To

---

not have deposed what is therein set down. At the date of that deposition I did not suppose that Nursoo Punt would dare to make a false representation; and this artful individual, with a view, I suppose, to remove my suspicion as to the correctness of the deposition of the 21st, recorded with apparent candour Joitabaee's protest against that of the 28th (which contained nothing of importance), while representing to me that "when her depositions were read to her in the presence of * * * she made not the slightest objection to them."

Nursoo Punt's interview with Joitabaee is thus recorded in his report dated 20th August 1848, which formed No. 53 of the translated documents prepared by me, and handed up by Captain French:

"On the 29th November, Nursoo Punt again proceeded to the Setanee, with orders to read the depositions to the Baee, and asked her if they were correct; and if so, what were her reasons for not signing them? At the question being put to the Baee, she replied, that, having once signed the deposition, there was no necessity to affix her signature to another document; upon which, Trimbuck Shastree and Bappoo Shastree asked the Baee if she had any questions to put to the wife of Baba Nafra, and her reply thereto was written and signed by her father in her name; Bhanabhaee was afterwards questioned, and his replies recorded and signed by him: copies of both these documents were given to the Resident."

The following is Joitabaee's examination here alluded to, taken on the 29th November:

Question.—"Have you any questions to put to Unpoorna Baee, wife of Baba Nafra; if so, state what they are?—*Answer.* Whatever answer my father Bhanabhee gives to this question, I will agree to it.

"When you were asked yesterday if you had any question to put to Unpoorna Baee, you replied in the negative, and wrote to that effect in your deposition; what is the reason, therefore, of your now saying that your father will reply to the question?—I did not write to this effect yesterday.

"Why did you not say yesterday that you would agree to whatever answer your father gave on the subject?—I did not say that; I had no questions to put to Unpoorna Baee.

"This is not a proper answer to the question?—My father Bhanabhaee will reply to this question for me."

† Alluding, of course, to the alleged disrespect shown by Joitabaee's mother to the punchayet, in asking for the use of the vukeel to see that her depositions were faithfully taken down, thereby reflecting on the honour of the members.

Appendix (B.) No 7.

31. To this communication no reply was received till the 16th September, four days after I had left Baroda, when a yad was sent, such as the Durbar would never have ventured to forward to the Residency while I was its occupant. In this yad it is asserted that the reason of Joitabaee's petition being kept from his Highness was, that the gomashta had been told to take it back, and order Bhanabhoy to bring it in person. This I have no hesitation in pronouncing to be an untruth, the invention of the Durbar friends of Baba Nafra.

32. The course invariably adopted when the presence of what is called a "Hoojuttee Bhandry Walla" (guaranteed party, who has appealed to British protection) is required by the Durbar, is to summon him through the Resident, which was not done; and further, had the Durbar violated the established etiquette, and issued a summons without referring to the Residency, the weak Bhanabhaee would as soon have thought of snatching her cubs from a lioness as of disobeying such an order. But be this as it may, the petition had at length been presented by the Resident himself; the last obstacle to the examination of Larbaee had been removed by that lady herself; the Resident had requested, in other words directed, that the examination might proceed; and but for my approaching departure, my request would have been complied with. But it was well known that my absence was to be a long one, and the reply of the Durbar (given in Appendix (B.) No. 7) cunningly reiterates the former recusancy of Larbaee, in a way to impress my successor with the conviction that it had been far worse than it in reality was. And by complaining of an alleged, though incorrectly alleged, invasion of its dignity, it made an appeal to the generosity of the new Resident (in anticipation) which it was hoped that officer would find it difficult to resist. Moreover, by making the artful suggestion that Larbaee's deposition should be delayed till her recovery, and then be publicly taken at the Durbar, it in other words expressed a hope that the Resident would consent to her deposition being never taken, and thus sanction the inquiry being indefinitely postponed. The Durbar well knew that Larbaee was little likely to consent to what she considered the indignity of a public examination; an indignity against which she had from the first protested, and one, the offensive bearing of which would be enhanced by the delicate nature of the subject on which she was to be questioned.

Appendix (B.) No. 7.

33. In the yad under notice, the Durbar, in the most ungracious manner, offered to have Larbaee examined in her own house, if the acting Resident still insisted on it. And Mr. Battye, who officiated until the arrival of my successor, passing over in silence (as under the circumstances of his position became him) the objectionable passages of the Durbar's yad, confined himself to the expression of a hope that the examination would be taken. Mr. Battye's yad was written on the 18th September, and on the 26th the Durbar did what it ought to have done on the 7th. Parties were deputed to attend at Larbaee's house, and received from her a statement. To the cross-examination to which it was attempted to subject her, and the object of which was to ascertain the witnesses she could adduce in support of her own and her daughter's assertions, she refused to submit, until the precautions for which she had previously petitioned, and the justice of which I demonstrated in paras. 10, 11, and 12, should be adopted; viz., the transference of the management of the bank from Baba Nafra's hands to a tripartite commission, nominated in equal proportions by the Resident, the elder widow, and Joitabaee; the confinement of Baba Nafra till the charges against him were investigated, and the attachment of his property till he made good the jewels and other property which he had feloniously abstracted from the bank.

Appendix (B.) No. 8.

34. She had consented to give her evidence, and in all respects submit herself to the behests of the punchayet, upon my assurance that I would see justice done to herself and her daughter, when on the closure of the punchayet's proceedings the case came before me. She had made overtures to this effect to the Durbar, and she had seen the very bearer of these overtures contemptuously turned away. From no one in power but myself had she, or her family, received the treatment which ordinary humanity, justice, or manly feeling dictates; and after I had gone, she must naturally have felt that she had no one, save God, on whom to place her trust; for while she knew not who my successor might be, she was well aware, that from the moment he entered on his duties, every effort would

would be made to poison his ear, to misinform and mislead him by the native agent, Nursoo Punt, the relative, and, as she was well aware, the creature and accomplice of Baba Nafra. And I am sure no one possessed of manly feelings, of common sense, or of the faintest sentiments of justice, will blame her for refusing to detail the evidence she had to adduce in support of her statements while Baba Nafra remained at large and all-powerful; the lord paramount of all the servants of the bank, able to dismiss and imprison such of them as might hereafter say a word in behalf of Joitabaee, as he had already dismissed and imprisoned those whom he had suspected of sympathising with their persecuted mistress;* and in a position, from his vast social and political influence, and from the enormous funds at his disposal, as manager of the bank, to intimidate and bribe off all whom she might profess her intention to summon on her own and her daughter's behalf. In consenting, as she had done, to obey the behests of the punchayets, on my assurance that justice should be done her, she gave what I regard as a most touching evidence of her confidence in British honour; in refusing to detail the evidence in her possession, and which she intended to adduce when the case came under appeal at the Residency, she displayed an accurate knowledge of the character of Baba Nafra, and with pain, I add, she thereby saved her daughter. For that Baba Nafra would have intimidated or bribed all her witnesses, the conduct, both prior and subsequent, of that man can leave no doubt on any reasonable or candid mind; and if Captain French, dealing only in vague assertions of an alleged universality of belief, succeeded in damning Joitabaee's cause both with the local Government and Court of Directors, how hopeless would have been her case had every available witness on her behalf been bought over or intimidated, and a mass of depositions transmitted to Government, and placed on the records of the Residency, embracing those of her own relatives and personal friends. The dishonesty of the punchayet, in pretending that Larbaee's refusal to place all her witnesses at the mercy of Baba Nafra interfered with the closure of the punchayet's proceedings, is too obvious to require comment. She had given her statement, and she was ready to be confronted with any persons the punchayet might bring forward for that purpose; yet they confronted no one with her, but confined their efforts to seeking to unmask her store of evidence, with which they had nothing to do, if she chose not to produce it in her daughter's behalf. They were at liberty to assume, that her refusal to unfold the evidence she had to adduce was a proof that no such evidence existed; they were at liberty to put any other unfavourable construction on Larbaee's conduct which they could reconcile to their consciences, and to decide against her daughter's claim; but they were not at liberty to withhold a report of some sort or other on the evidence before them, and on the presumptions they might think desirable from Larbaee's silence. If they could have enabled Baba Nafra to make out a stronger case, by intimidating or bribing Joitabaee's witnesses, right gladly and speedily would they have closed their proceedings. This they could not effect; so the next best thing they could do for their friend was to proclaim their inability to close their proceedings, and thus prevent the case coming in appeal before the acting Resident. That the questions of the first punchayet were only a trap laid for her own and her daughter's ruin,—a trap in which they knew they dared not to have attempted to entrap these ladies had I remained at Baroda, is sufficiently evident from the circumstance that the second punchayet, ignoring the evidence of every one connected with Joitabaee, rejected the evidence of her other witnesses on frivolous pleas.

* *Vide* Appendix (C.) Nos. 1 to 8.

35. When, on the 12th September, I left Baroda, I took my departure in the fullest confidence that if the proceedings of the punchayet were not completed on the arrival of my successor, that officer would at all events promptly carry out my intentions, and insist on these proceedings being rapidly completed; and I never doubted that he would subject them to a close review and rigid scrutiny; but my expectations were not fulfilled. The widow's case was disposed of in a very summary manner by my successor; her guilt of the charges brought against her by Baba Nafra was at once, and without investigation, assumed; and the door of hope was seemingly closed against her for ever.

36. Captain French only assumed charge of the Residency on the 2d November, and on the 15th of that month, the punchayet not having yet closed its proceedings, he addressed a communication to Government, in which he recommended the disposal of the case in a manner which, under the circumstances

of the two contending parties, could only have issued in the irrevocable ruin of Joitabaee.

37. That in making this proposition the acting Resident was actuated by the purest regard for justice, there can, of course, be no doubt; but I think I shall have no difficulty in demonstrating that he had been grossly deceived by his native agent, Nursoo Punt, the relative and friend of Baba Nafra, and a man of much cunning. It was natural that Captain French should look to this individual for an honest statement of the case, and a faithful record of past and passing occurrences, and the man's demeanor is precisely such as to impress the minds of his superiors with the idea that the utmost reliance and confidence may be placed in him: he is respectful, unobtrusive, and mild, cool and unimpassioned: he does not thrust his opinions on you; he allows them to drop out in seemingly casual observations; and he is far too wise to appear in favour of those whose interests he seeks to promote, as was strikingly illustrated in this very case; for so effectually did he conceal his regards for Baba Nafra, that the acting Resident, after 14 months' incumbency of office, left Baroda under the impression that the two worthies were inimical to each other. To show that I am not wrong in attributing the protraction of Joitabaee's unmerited sufferings to the malign influence of Nursoo Punt, and the deceptions practised by him on the acting Resident, I shall make a few extracts from the despatch of the letter above adverted to—the despatch of the 15th November 1848.

38. That despatch he commenced with the subjoined preparatory paragraphs:

1. "With the intention of carrying out the orders of Government given in your letter of the 4th November 1847, and many subsequent communications, Colonel Outram had the accompanying translations (with abstract thereof) prepared in the case of Joitabaee, widow of Beehurbhoy Samuldass, of the firm of Hurry Bhugtee, of Baroda.

2. "In addition to these voluminous documents, there are no less than 48 others of a subsequent date to the concluding one translated; yet the case is undisposed of, and seems as far as ever from amicable settlement.

3. "This will account for the delay that has occurred, and warrant, I hope, my submitting the subject for the consideration of Government, though in an unfinished state.

4. "The untranslated papers are very similar to these now forwarded, in fact in many respects mere repetitions—a denial one day of what on the previous one was admitted subterfuge and evasions, but all on the part of the petitioner Joitabaee, and her parents."

39. When it is recollected that, at the date of penning the foregoing sentences, Captain French had only been 12 days at Baroda, when the heavy and multifarious demands which society makes in India on the time of a high official arriving at a new station are considered; when we further remember the official and demi-official encroachments necessitated by the interchange of civilities between a newly-appointed Resident and the sovereign to whom he is deputed, the courtiers, nobles, and the leading members of the native community; when we bear in mind that considerable time is necessarily occupied in acquiring that familiarity with the system of the office, the sphere of its duties, &c., which it is one of the first objects of a newly-appointed Resident to obtain; and when, still further, it is held in remembrance, that, besides the current routine duties of the office, there were other cases on hand requiring his attention, as well as Joitabaee's, the inference is, I think, fair, that Captain French could not have been able, during the 12 days that preceded the preparation of his letter, to study the entire mass of translated and untranslated documents connected with the case of Joitabaee, nor was it necessary that he should do so, had the representations of the native agent been as trustworthy as the officiating Resident had a right to assume they were. But it is a pity that he did not do so, as he would have found that one, at least, of those representations was false; and this discovery would, I have no doubt, have induced him to receive with his confidence the other statements of the native agent. The misrepresentation I allude to, is that as to the character of the untranslated documents. After a careful examination, I can find no instance of "a denial on one day of what on the previous one was admitted;"

ted;" and I can detect neither "subterfuges" nor "evasions" on the part of Joitabaee and her friends. On the contrary, I see nothing but a consistent statement of the grievances under which these unfortunate persons declared they laboured, and an equally consistent protest against having their claims adjudicated on by a tribunal which they believed to be a corrupt one, in the unprincipled man who had their own property at command for the purpose of suborning perjury against them. The documents are certainly iterative, and most wearisome; inconsistent with each other they assuredly are not, nor do they display either evasion or subterfuge; and that Government may be in a position to judge whether Captain French or I give the more faithful account of them, I subjoin them in Appendix (A.), along with the correspondence which passed between Joitabaee and Captain French, from which it will be seen that the unfortunate lady was dealt with in a somewhat harsh manner. Here, then, is one of the misrepresentations artfully conveyed to Captain French, which I conceive to have been influential in prejudicing him against Joitabaee. The next paragraph of his letter will illustrate another: Appendix (A.)

> Para. 5. "In a case of this nature we meet with impediments at every step of the investigation. The honour of a female of an ancient and respectable firm is concerned. One widow of the deceased banker states that the other had the usual monthly visitations after the death of her husband; and he, the people here assert, was unable to beget progeny for a period that, if true, would at once settle the point. Thus it will be seen that insuperable difficulties beset the settlement of the question, either at the Residency or Durbar."

40. It is very clear, considering the short period Captain French had been at Baroda, and the many demands that must necessarily have been made on his time, that he could know nothing of the popular sentiments of the place, save as he fancied he saw them reflected in the conversation of his assistant, his native agent, the Durbar Vukeel, the courtiers, and those of the leading nobles and merchants, from whom he had received visits. Mr. Battye assures me that he never gave the information referred to, and it is extremely improbable that in the first, and therefore ceremonial, visits exchanged between a newly-arrived Resident and the courtiers, nobles, and merchants of the place, the conversation would, contrary to established etiquette, turn upon disputed cases then pending; we may therefore, I think, assume, that "the people here," who asserted that Joitabaee's "husband was unable to beget progeny for a period that, if true, would alone settle the point," were, the Durbar Vukeel, or Nursoo Punt, one or both of them; and from them also must he have heard the story about the "monthly visitations," which, if true, as I am informed by medical officers, would only add Joitabaee to the category of those exceptional ladies, of whose existence no accoucheur doubts, who continue to menstruate during uterogestation. But it matters little whether Nursoo Punt supplied the alleged facts,* or whether they were communicated by the vukeel of a Durbar, which had already leagued itself against Joitabaee, or whether Captain French suffered the courtiers, nobles, and merchants of Baroda to take advantage of their earliest ceremonial visits, to allege as matters of general belief, what "if true, would at once settle the point," that is, consign a widow, who sought redress, to infamy and destitution. Whoever were his informants, they attempted to convey to his mind an impression which subsequent investigations have proved to be utterly false, and thus to pervert his judgment, and to prejudice him against a persecuted appellant; and though, of course, Captain French could not anticipate the results of any subsequent investigations, it is to be regretted that he so unhesitatingly endorsed the alleged popular belief. A little reflection must have satisfied him that it bore the impress of a fiction. For had the alleged impotence of Joitabaee's husband for many months been a matter of universal, or even general belief, and had it been universally, or even generally believed, that Joitabaee had never been pregnant, it is difficult to conceive how the announcement of her delivery of a son, who,

* Directly, or through his subordinate and tool, Narrain Row, the second carkoon in my office, one of those above referred to as remaining in any office to betray its secrets, baffle my inquiries, and intrigue against myself; from my inability at present to afford strict legal proof of that regarding which no moral doubt can exist.

who, if recognized, was to inherit almost untold wealth, should have failed to excite at the time a very general suspicion of fraud. But that no such suspicions were awakened is demonstrated by the recognition of the boy as the posthumous son of the late banker, not only by his caste, but by his sovereign, and by the relations of the banker's other widow, whose son's prospects were so materially damaged by the advent of the second boy.

41. In his 6th, 7th 8th, and 9th paras., Captain French observed:

"The petitioner, under the influence of a vukeel she brought from Bombay, evades an investigation. She questions the impartiality (perhaps rightly) of a punchayet appointed by his Highness, and she wished to have a lawyer from the Residency to advocate her cause, thus departing from the customs and usages of her caste and profession.

"My experience mainly, on the other side of India, of disputes in banking establishments, has led to the impression that few, if any, cases adjudicated through us, or by our intervention, hold good. The bank works on as usual; but the wound is unhealed, and a final settlement is made by the members through the aid of a punchayet of their own nomination, and were this matter disposed of by us, or the Durbar, such, I feel convinced, would be the final result.

"Besides, there will be many difficulties to carrying out our settlement, and that, perhaps, at the hands of the very party in whose favour the decision was."

42. Though I myself should have objected to an European lawyer, barrister, or attorney, coming to Baroda, to conduct a case in a Guicowar court, as an infringement of the rights of his Highness—an objection actually communicated by me to one of the members of the Bombay Bar, whom it was wished to retain in behalf of Joitabaee—still I had insisted on the Settanee being allowed to avail herself of the services of a native vukeel, as will be seen from the following extract from a yad addressed by me to his Highness on the 11th December 1847:

Accompaniment No. 40, to Captain French's letter of the 15th November 1848.

"In your Highness's reply to my letter, nothing is said regarding Joitabaee's request to employ somebody to assist her father, Bhanabhoy; but in the enclosure, Meer Surfrazallie, &c., write, that the person questioned should personally reply, and that such is the custom, to which I quite agree, but this is particularly applicable to witnesses; and it is not customary to object to either the plaintiff or defendant employing vukeels or agents in prosecuting their case, when it is of great importance, and the parties concerned are females, or incompetent to uphold their cause. In all courts of justice this indulgence is allowed, and in magisterial cases the accused parties are permitted to employ vukeels. It is true that the party questioned should reply personally; but without the assistance of vukeels in examining witnesses on either part, how could such case be conducted?" * * * "It appears that Bhanabhoy is unable to either read, write, or give an opinion, therefore it is very evident that some assistance is necessary, which is equally applicable to both parties. I am, therefore, of opinion that, under the circumstances of the case, the Setanee should be permitted to employ a good, respectable person for the assistance of her father."

43. These views had been expressed by me on mature deliberation, after the case had been under discussion for several months; after I had read and pondered on every document that had been penned on the subject, and after I had ample opportunities of seeing the spirit in which the inquiry was being conducted; and had Captain French been aware that license to employ a vukeel had been demanded by me, surely delicacy to the man for whom he was officiating, and the deference due to the opinions of one who had paid some attention to the case, ought to have prevented the acting Resident from offering so totally diverse an opinion, till at last he had familiarized himself with the case more completely than it was physically possible he could have done during the first 12 days of his tenure of a new office.

44. From what I know of Captain French's character, I feel convinced that had that gentleman been aware that I had insisted on Joitabaee's being allowed a vukeel, delicacy to myself, and deference to my official status, would have prompted

prompted him to a further study of the case ere he reprobated the measure which I had not only defended, but insisted on; at all events, he would have noted the fact, that my opinions on the subject differed from his own; and, on this conviction, I feel entitled to assume, that when he penned this letter, not only had he not read the untranslated documents alluded to in para. 39, which he pronounced self-contradictory, subterfugal, and evasive, but that he had not even read the whole of the translated documents which he transmitted to Government; for in one of them, No. 40, is the yad I sent to the Durbar on the 11th December 1847, from which the above quotation is taken.

45. Captain French, in the passage from his letter above quoted, in para. 41, says, that Joitabaee's mother questioned the legality of the punchayet. Undoubtedly she did, on the ground that it was one from which she could expect no justice to her persecuted daughter. But though she had for long delayed giving evidence before it, she did at length (as I have shown in para. 27) consent to be examined; and thus had she removed the only real or pretended obstacle that had ever existed, or been alleged, as standing in the way of the punchayet continuing, and closing its proceedings. Her examination might have taken place, had it suited the views of Baba Nafra's friends, eight or nine weeks before Captain French's arrival; and only the anxiety of Baba Nafra that the punchayet's proceedings should not be brought under review, and subjected to a searching scrutiny at the Residency, and the collusion of the native agent, who kept the acting Resident ignorant that such was the case, had prevented these proceedings being in his hands at the date of his writing that "the case was as far from settlement as ever."

46. In para. 9 of his letter, Captain French thus expressed himself: "The house of Hurry Bhugtee carries on its banking concerns as usual; but if encouragement be afforded to the evil propensities of the litigants, by hearing them through hired vukeels, whose object must be to embroil all, and give bad council to gain their own ends (*vide* Enclosure No. 18), the firm will assuredly ere long suffer, and cease to be."

47. Were there nothing else to prove that the native agent, Nursoo Punt, had completely deceived Captain French as to the merits of the case, and, by his misrepresentations as to the nature and character of the various petitions from Joitabaee and her mother, led him to think a cursory glance at these documents was quite sufficient, this paragraph alone would suffice to demonstrate the point. It is so completely irrelevant to the case, that it could only have been penned under most confused and erroneous conceptions of the real matters at issue. It was indeed true that the house of Hurree Bhugtee carried on its affairs as usual; and as Government are fully aware, from the testimony adduced in the report I addressed to them, in reference to Mr. Andrews,* the "usual" mode of conducting the affairs of that house was a thoroughly abominable one, and one pronounced by the bankers, both of Baroda and Ahmedabad, as most "unbanker-like." But it is difficult to see what immediate connexion there subsisted between Joitabaee's case and the alleged prosperity of the bank. What she complained of was, that a gross outrage had been perpetrated on herself by the manager of that bank; that her character had been aspersed, her child abducted, herself and her father kept in ignominious confinement; and that all these things had been effected by suborned perjury, paid for out of funds in part her own. The "paid vukeel" may have had a thousand bad and sinister objects, but none appears on the record. His ostensible object was to aid Joitabaee and her mother in obtaining redress, and who will say that these unfortunate women did not stand in need of aid?

48. In his 10th para. Captain French observed, "As we cannot establish by oral evidence the fact, or otherwise, of the child being that of a Kolie, of the petitioner having been pregnant at the death of her husband, and his ability to beget offspring, without entering on an inquiry abhorrent to the feeling and prejudice

* In my yet (31 March) unanswered appeal against the conduct of that gentleman, in which I endeavoured to prove, and as (if that report be not sufficient) I shall yet satisfactorily demonstrate, impressed the minds of the natives of Baroda, not only that he was not merely the protector of corrupt public servants, but that he was himself corrupt.

judice of the caste the litigants belong to, and as such an investigation would in all probability fail to satisfy either party, while it would assuredly be most distasteful to the whole of the seiths here, I beg to propose that, through the Durbar, both the widows be told, to each name two persons, and conjointly a fifth, or "Sir Punch," to determine their disputes, but first giving, under their hand and seal, duly witnessed, a written agreement to abide by their decisions. The parties may at the same time be warned that the British guarantee is during good behaviour [*vide* accompaniment to Mr. Boyd's letter, No. 121, 18th November 1840, entry No. 13], and be informed that their razeenamma will suffice for the Durbar and Government."

49. Whether or not it was Nursoo Punt who informed Captain French that "the people here" had expressed opinions, which it is notorious they did not entertain till it was Baba Nafra's interest to give them currency, and to stimulate their frequent expression, may be a matter of doubt. But it admits of no doubt that it was Nursoo Punt's duty to inform Captain French of what he himself well knew; that the inquiry into the distasteful matters above referred to had already been carried on for months, and that whatever there might be in such an inquiry abhorrent to the feelings and prejudice of the caste had already been effected; and it was his duty to explain to the acting Resident that the thing best calculated to efface the injury done to the feelings and prejudices of the caste would have been the acquittal, after a fair trial, of one of the principal ladies of the caste from such disgraceful charges as those that had been brought against Joitabaee.

50. But it was not the wish of Baba Nafra, or of his friend and relative Nursoo Punt, that Captain French should be aware of the real merits of the case, or of the stage at which the inquiry had arrived. It was their obvious interest to deter that officer from having anything to do with the investigation of the case; and it is, I think, pretty clear that Nursoo did endeavour so to deter him, by depicting in strong terms the offence such an inquiry would occasion, if conducted either by the Resident or the Durbar, by representing to him that "insuperable difficulties beset the question either at the residency or the Durbar," by preventing him from carefully perusing all the appeals of Joitabaee, on the plea that they were self-contradictory and evasive; and by making out a *prima facie* case against the lady litigant as one reputed to be unchaste, and generally regarded as a cheat. Further, it was his duty to explain, that before I left Baroda the only alleged obstacle to the proceedings of the punchayet being closed had been removed by myself, and that it merely required a firm representation on the part of the resident to obtain the punchayet's decision, and thus be in a position to sit in review on its proceedings.

51. But dishonest strumpet as Joitabaee was represented to be, she was still entitled to British protection; her case must be decided some way or other, and it was transparently the interest of Baba Nafra to secure, if possible, a decision in his favour which should not be subject to revision; one pronounced by a court whose proceedings should not come under the Resident's review, and whose award should be final. And had the Baba himself been openly consulted on the subject, he could not have devised a course of procedure which, under the form of giving fair play to all parties, was better suited to his own views and interests than that suggested by Captain French.

52. Even assuming that the nominees of Joitabaee had been inaccessible to corrupt considerations, even assuming that neither the gold of Baba Nafra, nor the menaces of his influential friends (and all the influential men at Baroda ever in his interests) could have made them swerve from the strict path of justice; assuming all this, could the same be supposed likely of any man, whose election as "Sir Punch" would have been assented to by that arch briber, that child abductor, that suborner of perjury, that conspirator against the reputation, happiness, and property of his master's widow, whom an adverse verdict would have consigned to imprisonment for life, who had the means of bribing to any imaginable extent. True, at the time the proposal was made, Baba Nafra had not been proved to deserve all the epithets I have just applied to him, but he has since been proved to merit them; Joitabaee well knew that he then merited them, and knowing this, can we wonder that she, a prisoner, friendless, in poverty, and in disgrace, should have shrunk from such a tribunal as that offered her? And it

was

was a touching and convincing proof of the widow's desolate condition, when she agreed to submit to such a tribunal.

53. In proposing such a tribunal, Captain French was of course actuated by the purest motives, but he was clearly in ignorance of the actual posture of affairs; and in suggesting that the parties should give beforehand a written agreement to abide by the decision of the proposed tribunal, it is pretty obvious that he was unconsciously playing the game of Babar Nafra who knew that by his wealth and influence he could procure from any court at Baroda such a decision as he chose, and who was only solicitous that the decision should not be open to the Resident's review. This solicitude it was that had given rise to the various delays by which the proceedings of the first punchayet were protracted till after I had left Baroda; to this solicitude may be traced the non-communication to Captain French by Nursoo Punt of the various facts it was his duty to bring to the notice of the acting Resident's sympathy with his friend's solicitude; and a cordial desire to promote its objects alone influenced the native agent in withholding from Captain French that Larbaee had long previously consented to give her evidence, and that, in fact, she had given all the evidence that could be demanded of her, viz., a statement of facts, that the punchayet had not one valid excuse for longer withholding their report; that the revolting part of the inquiry had long since been gone through, and a liberal canvass instituted, as well of Joitabaee's menstrual peculiarities, as of her husband's sexual capabilities; and the grand object of Baba Nafra's solicitude was realized, when Captain French, betrayed, kept in ignorance and deceived, proposed an arrangement which effectually precluded his ever himself exercising an appellate jurisdiction in the case.

54. On the 18th of December, Government, in acknowledging Captain French's letter of the 15th November, thus instructed the chief secretary to write:

"In reply, I am instructed to inform you, that his Lordship in council regrets that it had not been proposed in the first instance to submit the case to a punchayet, and is not now sanguine in his expectations that it will be satisfactorily and justly settled in this mode, from the difficulty which he apprehends will be experienced in convening a punchayet which will act with impartiality.

"As it is, however, very desirable to avoid a direct inquiry into a family dispute of this nature, I am directed to inform you that his Lordship in Council approves of the suggestion in the 10th para. of your letter, that an endeavour be made to induce the parties to assent to the punchayet being nominated in the manner therein proposed."

55. The regret of Government expressed in the first of the above paras. was founded on a misapprehension. The matter, as I have already shown, and as I had reported to Government, had, in the first instance, been referred to a punchayet. That punchayet had, before I left Baroda, by its own admission, nearly completed its labours; its proceedings ought to have been submitted to the acting Resident on his arrival, and had they been so, and had he passed them under review, I believe he would never have been induced to apply for the sanction of Government to the case being referred to another native tribunal, over which he was to have no control, and from whose decision there was to be no appeal. The only difference between the punchayet, the appointment of which I had effected, and that for which Captain French applied, was, that the former was the legal and constitutional one; one appointed by the durbar, and therefore one from which an appeal lay to the Resident, while the other was an informal court of arbitration, the very terms of the constitution of which prohibited appeal.

56. The Government letter of the 18th December, sanctioning Captain French's recommendation of a court of arbitration, from which there should be no appeal, reached Baroda on the 21st; its contents were communicated to the Durbar on the 22d, and on that day it was intimated to Joitabaee, through her father, that she must submit to an arbitration from which there should be no appeal.

57. On the 30th December, Joitabaee addressed Captain French, as follows:

"On the first interview after your arrival, a few representations were made, and when called a second time on the 26th December, my father, Bhanábhoy, and Kamdars were sent, whom you desired to go to the durbar, as, according to the Government orders, it was written to convene a punchayet, to take razeenammahs

Appendix (A.) No. 12.

(writings from both parties, to the effect that they will abide by the decision the punchayet may pass), and to have the matter settled by the decision of a punchayet, although I wished the settlement of the case according to the yads formerly given," that is by an investigation conducted by the Resident in person, or by a punchayet subject to the Resident's review, precautions being taken to limit Baba Nafra's powers of intimidation and bribery. "Yet my father went to the Durbar, as he was called there, according to your orders. When your orders were read over to him, he asked for copies of them, but was refused. A kamdar carcoon will therefore be sent to you for the copies, as from them the names of the punchayet of the opposite parties can be ascertained, whereby I shall be able to name the members on my part, as it is necessary to obtain their previous consent. The present time being critical, the persons (employed) in this matter ought to be the most confidential, and the writings (razeenamahs, &c.) will therefore be passed after making perfect inquiries on these heads. Notwithstanding, I have become quite helpless, owing to the impositions and hardship used towards me and others, for these two years; my ruin is not of a kind that I can describe. It was represented before, but nothing has yet been decided for my maintenance, &c. I have therefore got into debt with my creditors, as well as with the carkoons, kamdars, and servants, &c., for which I suffer a great deal too much to detail. As the Colonel was convinced that Bhanabhoy (her father) was unable to manage this affair at the Durbar, he had postponed the investigation, and ordered me to appoint a trustworthy kamdar (vukeel) for the purpose, which was accordingly done, as per yad given on the 29th March 1848. Yet the Durbar does not call that man for the business, but mentions in yads the names of inexperienced persons. * ** * This matter being very delicate, injurious, extraordinary, and intolerable, the delay creates various mischiefs which cannot be plainly described, but some of them have been mentioned in the former yads, and as the settlement was not made as therein suggested, the case has become intricate, and it is not known how long it may yet go on. It therefore seems necessary to represent, that for these two years past all the (other) people of the firm are in the full enjoyment of everything without any hinderance, but towards me such harassing proceedings are exercised as nobody else could have ever endured, and I do not get anything for expenses, such an extraordinary case is this. According to the fame of our family, I ought to keep up such expenditure as would enable me to live with respectability; and now, as the members of the punchayet are to be invited, I am much concerned as to how to defray the expense necessary on such occasions. It is to be hoped, therefore, that you will at once kindly get me 12,000 rupees from the firm for present expenses, and take such steps that I may not hereafter meet with any such inconvenience. By doing which I may suffer no further pecuniary difficulty, and have no cause to trouble you any more about it."

158. When the previous history of this case is considered, and due weight is given to what I have said in para. 52 of this section, it must, I think, be allowed, that in so readily acceding to the proposed arrangement, Joitabaee displayed a submissiveness of no ordinary kind. The request of Joitabaee to be furnished by the Durbar with copies of the written orders which the Resident had issued in her case was a most reasonable one. For these orders, which had been written to the Durbar, had been communicated verbally to her father, and Captain French has accurately enough described the old man as imbecile. The refusal of the Durbar to furnish the lady with copies of Captain French's orders, was a gross act of injustice, and a gratuitous display of animosity, quite in keeping with its previous conduct, and it was calculated to awaken the acting Resident's suspicions that some deception was being practised by the Durbar. The request made by Joitabaee, that before naming her own arbitrators, she should be informed as to who were the arbitrators selected by Baba Nafra, was equally reasonable; for, until it was known who were to represent the powerful and hitherto triumphant Baba Nafra, who "ruled the ruler of the Baroda territory, and who was the protégé of the Baroda Resident, Joitabaee could not have found men willing to consent to take the part of the friendless widow, in opposition, it might be, to influential persons having monetary or other checks upon them. Had she named men who subsequently refused to sit on the court, a fresh sophistry to her disadvantage would have been placed in the hands of her enemies, and, further, common justice demanded that, in her critical

critical position, she should have it in her power to nominate as arbitrators men thoroughly removed from even indirect connexion with Baba Nafra's nominees. If ever, therefore, there was a fair and reasonable request, it was the request of the oppressed widow; if ever a Durbar behaved in a disgracefully arbitrary manner, it was when the Baroda Durbar refused to let the widow know the names of those who were to be appointed as the nominees of her adversary. The demand for money out of the wealth bequeathed by her late husband to enable her to vindicate the cause of his widow and posthumous son was self-evidently reasonable. She was literally in a state of personal destitution, being dependent on her parents for shelter, food, and raiment, as since her first persecutions she had never received one single anna from the bank. Captain French, if he knew anything at all of native customs in native states must have been well aware that in all such cases of arbitration heavy expenses are incurred in maintaining with dignity and feasting the arbitrators and their followers during their investigation, and he must have known right well that the expenses in Joitabaee's case would be necessarily enhanced from her inability to procure arbitrators in Baroda sufficiently free from Durbar and Nafra influence, and from the consequent necessity that would be imposed on her of selecting her umpires from some distant place within the British territory; yet, from first to last, he refused to interfere in her behalf, with a view to obtain for her the smallest fraction of that money to which, as will shortly be seen, he admitted her to be entitled; and Captain French, who himself characterized Joitabaee's father as an imbecile, must have been as satisfied as Joitabaee's herself of the justice of allowing her vukeel to represent her during the arrangements preliminary to the assembly of the punchayet, and during the proceedings of that body; proceedings on which, contrary to her own views, but in obedience to his orders, she was about to stake her fortunes and reputation.

59. The answer vouchsafed by the acting Resident to Joitabaee was as follows: Appendix (A.) No. 1.

"The Resident's advice to you is, that you should agree to the adjustment of your case by punchayet, as suggested by the Guicowar and Bombay Sirkars. If you do not agree to such arrangements, the measures made known to your father Bhanabhaee verbally will be submitted for the sanction of the Bombay Government; and if your conduct be marked with impropriety, the said Government will take into consideration the necessity of rendering null and void their guarantee, which you are at present in the enjoyment of."

60. On the 17th January Joitabaee again petitioned Captain French in the following strain:— Appendix (A.) No. 16.

"I beg to submit, that if the Maharaj had impartially investigated the complaint made by me, &c. * * * what necessity existed for my petitioning and inconveniencing the Company's Government? but as under the Guicowar Sirkar's rule impartial justice is not to be met with, or expected, I have been from time to time necessitated to petition the Resident; yet, such being the case, the Resident Sahib at present directs implicit obedience to be paid to this Sirkar's mandates, which order from the Resident involves me in deep distress. Colonel Outram had, in the first instance, decided and ordered that a kamdar should be appointed to conduct my case, but the Guicowar Sirkar objects to this measure, and desires that my father, Bhanabhoy, should be in attendance at the Durbar, for the purpose of conducting the case, and the Resident concurs with the Guicowar Sirkar; but my father is entirely ignorant of the manner in which cases are conducted at the Durbar courts, owing to which the Resident was pleased to sanction some other party being deputed by me to attend at the Durbar on my behalf, and the reason for not now permitting such agent to conduct my affairs is with a view of screening the Baba, and involving me, as heretofore, in misery and ruin. This is evident, notwithstanding which, however, in obedience to the orders of the Resident, I had despatched a yad by my father to the Guicowar Sirkar, and upon its being presented to the karbaree, he, having perused it, returned it to my father, upon which my father submitted to the Maharaj, that although the Maharaj wanted him to attend, he was not aware of the manner in which business was conducted at the Maharaj's court, and requested that the reply to the yad might be sent to me, and (said) that I would give the necessary explanations, and also send a vukeel to conduct my case. To this the Maharaj replied, that he would neither receive my yad or give any reply thereto: this is what transpired on the occasion."

Appendix (A.) No. 17.

61. Captain French thus replied:

"In reply, be it known that in your yad you have cast reflections upon the Guicowar Sirkar, and otherwise disrespectfully addressed him, which is very improper on your part to do. Therefore, hereafter should your yads be written in the same objectionable tone, they cannot be received, which I advertise you of: with reference to the adjustment of your case, whatever order the Maharaj may be pleased to make, you should respect, and you should submit to the Maharaj any reasonable representations you may feel desirous of doing."

62. Captain French was as well aware as the lady herself that Joitabaee told the simple truth, when she asserted that from the Guicowar Durbar she could not expect impartial justice. It was he himself who had reduced Joitabaee's already slender chance of obtaining redress to the infinitesimal amount afforded by a punchayet, from which there should be no appeal, and one to which was to be nominated in equal proportions by a friendless, hopeless, resourceless widow, whom he himself represented as an imbecile, and by a powerful, influential, wealthy, crafty, and talented man, whom he not only believed, but had officially declared to be an unscrupulous villain, and to have committed a crime, in consideration of which he ought to have been placed before a criminal court, instead of being allowed to appear in one of arbitration. Under these circumstances, though, for form-sake, Captain French might have reprimanded Joitabaee for calling things by their proper names when speaking of royalty, surely he was bound to see that when, in obedience to his behests, she acceded to the settlement of her affairs by arbitration, she was allowed every facility for so doing. He ought to have seen, not only that Joitabaee's requests were reasonable, but that non-compliance with them was to make the arbitration he had proposed a gross delusion, a cruel mockery, and a fatal snare.

63. Yet, in spite of all these considerations, and in spite of the fact that Joitabaee had sent him accounts from time to time of the insulting and heartless manner in which the Durbar treated her reasonable requests, and thus threw obstacles in the way of her complying with his orders, Captain French did not hesitate, on the 22d of February, to inform Government that Joitabaee had "declined to consent to the settlement of the dispute by arbitration." He founded this statement on the assertions of the Durbar, contained in the following passage, which he transmitted to Government on that occasion (dated 15th February):

"No reply having been received from Joitabaee, her father, Bhanabhaee, was again, on the 13th January, sent for, and the matter was explained to him. His reply was unfavourable; consequently a yad was addressed to Joitabaee on the 17th January, and another on the 22d of the same month, but no answer came regarding the punchayet. On the 31st January, a jassood was sent to the Settanee, requesting her attendance at the apartments of his Highness's mother, who would explain to her the circumstances of the case. This was also declined, and a third yad was addressed with a similar effect; notwithstanding this proposition has been made, both personally and in writing, she still refuses to consent."

64. Captain French's high notions of the morality of the Baroda Durbar may have forbade him to regard the above yad as a deliberately-told circumstantial falsehood; but how he could have come to any other conclusion than that there was some grievous mistake, and that Joitabaee was the heroine of a tragedy of errors, must be best known to himself. The Durbar averred, that "no answer came about the punchayet;" but it was Captain French's duty to demand the production of the answers sent, whether they referred to the punchayet or not. In failing to send these answers, the Durbar violated the established usage and etiquette, and they would not have ventured to do so had they not been well assured that Captain French's mind had been so powerfully biassed against Joitabaee by the artful unscrupulous Nursoo Punt.

65. Fortunately for Joitabaee, she retained the yads addressed to the Durbar on the 2d, 22d, and 23d of January, which that body had returned to her. These documents will be found in Appendix (D.).

Appendix (D).

66. Their authenticity may be relied on. The authenticity, at all events, of those of the 2d and 22d is established beyond a doubt by the Durbar indorsement

ment on the back of the latter, to which Joitabaee thus alludes in the petition of the 23d. I beg to submit, for the information of the Sirkar, "that I had, on the 22d January, sent a yad enclosing my former yad of the 2d January by my karkoon to the Maharaj, which, although perused by the Sirkar, the arrangements therein suggested have not been as yet made; and the above two yads, together with one bearing the signature of Trimbuck Shastree Munhore, these yads, three in all, about midnight were brought back to me by a jassood belonging to the Maharaj Sirkar, I being at that time asleep. They were made over to my father, who had been disturbed from his rest. * * * The reason for this evidently is to show (make it appear) that I do not attend at the Durbar, which I also treat with disrespect, thus to make it appear that I am self-willed and treat the mandates of my Sovereign with contempt and disdain; and the wording of the above-mentioned Shastree's yad is such as would convey such unfavourable impression against me." App. (D.), No. 3.

67. The petitions of the 28th January and 2d February, alluded to in her petition to Captain French on the 20th April, as having been sent to the Guicowar, I have been unable to obtain. I applied for them to the Durbar, but received for answer that they were not to be found, an answer that which, considering the great care taken of all such papers by the Durbar, I regard as pretty strong evidence that these petitions are as demonstrative of the falsehood of the Durbar yad of the 15th February, as are the petitions I have received and appended to this Report.

68. I have said that the mere non-transmission of Joitabaee's answers along with the yad of the 15th February, afford conclusive evidence that the Durbar believed the Acting Resident to be deeply prejudiced against Joitabaee, and the intensity of their convictions on this score may be judged when we call to mind that they were well aware that the officer whom they assured of Joitabaee's recusancy was one who, as the lady's petitions show, had been regularly apprized of her unsuccessful efforts to obtain those measures which were requisite to enable her to submit her case to the arbitration suggested by Captain French. Thus, in the authenticated petition, or rather answer, sent by Joitabaee on the 22d January, she wrote as follows:— App. (D.), No. 2.

"In accordance with the instructions received from the Acting Resident of Baroda, Captain French, that I should cause my father and others to wait upon your Highness, upon which, considering it necessary, I have duly kept that gentleman informed of the result of such interviews, considering it necessary to respect the mandates of the Company Sirkar, on the 2d January I sent a yad to the Guicowar Sirkar, which yad, however, the Sirkar refused to receive, and consequently it was brought back to me, the particulars of which I reported for the information of the Resident. Subsequently, in accordance with the instructions adverted to above, the party directed (her father) personally attended with the yad, and delivered it to his Highness; but this yad, after perusal, and being taken into consideration, was returned; the particulars which transpired on this occasion also I duly informed the Resident of."

69. To suppose that Joitabaee, who so well knew Baba Nafra's intimacy and influence at the Durbar, who knew that Nursoo Punt, the native agent at the Residency, was his relative and confidant, who knew that all transactions at the Residency, having the remotest reference to his affairs, were equally reported to the Babee; to suppose that Joitabaee, with this knowledge, would have dared to state, as facts, fictions which could not fail to be discovered, and the discovery of which would ruin her cause, by displaying her as a convicted liar, is to make a supposition violently improbable, and one in utter antagonism to the whole history and complexion of her case. Had not the Durbar been well aware of the truth of Joitabaee's assertions, they would have sent her yads to the Acting Resident as a proof of her mendacity; and, being well assured of their perfect accuracy, what must have been their opinion of Captain French's impartiality and sense of justice when they dared to send him the yad of the 15th February?

70. After reporting that Joitabaee had declined to consent to the settlement of her dispute by arbitration, Captain French thus proceeded:—"I yesterday sent for the father of Joitabaee; he came, accompanied by the vukeel they entertained in Bombay, and to them I explained that his Highness had written; he had several times endeavoured to induce them to settle the dispute by punchayet.

But they wanted to re-open the case from the beginning, and to argue it before me. The father of Joitabaee is, perhaps you are aware, a perfect imbecile."

71. Doubtless they would have been only too grateful and happy had the Acting Resident taken the trouble to hear what they had to say of the systematic oppression they had experienced from the beginning, and it would have been well had Captain French done so. But I am assured, and the context demonstrates, that what they were really anxious to explain, at the visit referred to, was the reasonableness of the demands made by Joitabaee, and the impossibility of her complying with the Resident's orders, while the means requisite for doing so were withheld from her; while she was in ignorance of the names of her enemy's nominees; while the precise nature of the instructions issued by Captain French was withheld from her, and while she was denied the pecuniary means requisite for entertaining her arbitrators during the inquiry, in the manner which the usage of her country prescribed.

72. Captain French proceeded: "There is not I believe in the opinion of anyone here, a doubt of the children having been supposititious, for it is said there were two, one having died, another was introduced; nor that the manager of the firm, Baba Nafra, was a party to the introduction of both; but of course Joitabaee and Baba Nafra allow but of one child, the former alleging that the latter carried it off, and the latter, that it died subsequently to its removal on the discovery of the fraud."

73. Considering what Captain French had assumed to be the current belief at Baroda, within 12 days of his arrival, it was not likely that that assumption would be less vigorously maintained after three months' intercourse with Nursoo Punt. What Captain French meant when he said Joitabaee and Baba Nafra acknowledge but one supposititious child, it is difficult to understand, and still more difficult is it to comprehend his meaning in saying "that the former alleged that the latter carried it off; and the latter, that it had died subsequently to its removal on the discovery of the fraud." Joitabaee acknowledged no fraud whatever. She asserted that the child abducted was a child to which she had herself given birth. In asserting that the child was carried off by Baba Nafra, or under his directions, she simply stated what Captain French knew the Baba had never denied, and she piteously demanded the restoration of her abducted boy. Why her case should be prejudiced, or her veracity called in question, because Baba Nafra declared that the boy whose removal he had effected subsequently died, it is difficult to understand.

74. At first sight it may appear that the charge of complicity in Joitabaee's fraud implied against Baba Nafra is inconsistent with what has been said of the agency of Nursoo Punt, but a moment's reflection will show that it was not so. For, as Mr. Andrews had reported to Government, and as every one at Baroda well knew, that no such fraud as that attributed to Joitabaee could possibly have been effected without the connivance of Baba Nafra, who had held despotic control over the whole household, it became unavoidable for Nursoo Punt, when assuring Captain French that the belief in the fraud was universal, to admit that the belief in Baba Nafra's complicity was equally wide spread and strong. That is, the story against Joitabaee could only be made to present the faintest traces of plausibility by the assumption that her accuser had been her accomplice; that he who now stood forth to denounce and invoke vengeance on one of the widows of his late master had engaged in a foul conspiracy against the other, a conspiracy the final success of which would have transferred to an alien of a despised race an enormous amount of the wealth of the man whose confidential agent he had been. Such was the self-drawn scoundrelly character of the man against whom Joitabaee in vain appealed; and such was the character which Nursoo Punt was compelled to endorse in promotion of his kinsman's case; and finding that the officer with whom he had to deal was completely under the influence of his kinsman, Nursoo Punt, Baba Nafra probably felt no uneasiness at the imputation thus cast on his character. It mattered little to him what was said of him, so long as his schemes prospered, so long as he could effect the removal of a mistress who had the sense to perceive his villany, and of a child who when he came to man's estate would adopt his mother's views, and expel and expose his unfaithful steward, so long as he retained under his thraldom the other mistress and her son, the first of whom Captain French truly described as an imbecile,

imbecile, while urging that on that very account her property should be left in the hands of a man whom he himself accused of having engaged in a foul conspiracy to plunder her, and the latter of whom was a boy whose sickly frame and weak intellect gave promise that he would become an easy prey to his unprincipled trustee. Under these circumstances, it is not improbable that Baba Nafra, regardless of a reputation already damaged beyond remedy, and aware of the opinion officially recorded by Mr. Andrews, may have himself suggested to Nursoo Punt to insist on his complicity with Joitabaee's asserted fraud. By doing so, Nursoo would preserve his credit for impartiality with the Resident, and give a seeming confirmation to the enmity which the two worthies professed to bear towards each other, thereby increasing his ability to forward the Baba's main object, viz., the permanent usurpation of his master's power and wealth, which had been entrusted to his guardianship on behalf of that master's family.

75. That Baba Nafra was justified in relying on Nursoo Punt's influence over Captain French, to prevent the admissions against him operating in the slightest degree to his prejudice, is painfully apparent; for in six days after assuring Government that it was notorious to every one in Baroda that Baba Nafra had been concerned in a foul conspiracy, the object of which was to defraud the elder widow and orphan son of his late master, and that master an individual enjoying the British protection, he addressed an official yad to the Durbar, formally intimating that he had been pleased to remove the interdict against the Baba being admitted to the Residency which the Government had issued in 1843, in consequence of the man's bad character. The removal of this interdict had never been contemplated by Government, and it was only sanctioned by Government after Captain French had made it an accomplished fact, because they understood that officer to say that the interdict had become a dead letter through the disregard to orders of previous Residents. This was a misapprehension which that officer ought, in justice to his predecessors, to have removed, instead of taking advantage of it, and transferring to others the odium of an act which the native community could only regard as powerfully illustrative of the efficacy of "Khutput," and of the indifference of British officials to the moral character of those they desire to honour or resolve to befriend, when Captain French thus stepped beyond his legitimate province, and cancelled an explicit Government order, that he might patronize a man of notorious depravity, and one whom but a few days previously he had accused of complicity in a gross fraud of peculiar heartlessness and atrocity; it is, I think, but justice to that officer to assume that he was labouring under some extraordinary delusion inspired by Nursoo Punt, or Nursoo's convenient and unscrupulous tool, Narrain Row; and this assumption becomes the more reasonable when it is known that Captain French continued to receive the Baba at the Residency as a welcome visitor.

76. In continuation of the paragraph above quoted, Captain French wrote, "Had Joitabaee, or her mother, Larbaee, come to the Residency instead of proceeding to Bombay to complain, there would have been little difficulty in the disposal of the case probably at once; but instead of coming one or two miles they went some hundreds, and now, as shown in my letter of the 15th November, it is enveloped in mysteries."

77. This sentence affords striking confirmation of all I have alleged regarding the ignorance of the case in which Captain French was kept by his native agent. Had Captain French read the papers in his possession with the fiftieth part of the care his humanity and sense of justice would have made him bestow on them; had he not been led astray by designing individuals, he would have discovered that Joitabaee, whom he represents to have gone to Bombay, was from the first a close prisoner, treated with indignity; he would have learned, further, that her mother, to avoid sharing her daughter's fate, had kept in close hiding till she could escape beyond the limits of the Guicowar jurisdiction, and that she had remained at Jumboosir, a town within the British territory, only 35 miles from Baroda, till, not receiving any answers to the petitions she addressed to Government, she thought it her duty to proceed to Bombay and press her daughter's suit in person. Why, when she did escape, she did not

come to the Residency and throw herself on Mr. Andrews' protection, I cannot say.* Perhaps she feared that in that direction her enemies would keep a good look out for her; perhaps she feared that she might be surrendered to the Durbar, or she may have dreaded the inimical influence of Baba Nafra's friends among the native establishment of the Residency. But whatever were her motives, I think she did wisely in putting herself at a safe distance from those who had imprisoned her daughter and her husband. She did not, however, as has been seen, proceed to Bombay till after she had resided for weeks at Jumboosir, from which place she addressed the two petitions, dated respectively 4th and 20th April 1847, to which she alludes in her petition of August in that year.

78. In para. 4 of the letter under notice, Captain French observes,

"The object of Joitabaee and her vukeel would seem to be the management of the firm, to the exclusion of Baba Nafra, during the minority of Purshotum Bhaee, son of the elder widow. Government will recollect an expression of Captain Lang's, in Letter No. 553, of the 29th October 1840, para. 1st, in speaking of the mother of Pertabsing of Aglore, who had 'lately entertained an Ahmedabad vukeel of notoriously bad character even among the unprincipled class to which he belongs.' I do not say Joitabaee's vukeel is obnoxious to the above charge, but few there are of his calling that do not 'give bad counsel to gain their own ends.' (*Vide* Enclosure No. 18 to my former letter.)"

79. Of course it was an object to secure her just rights, in connexion with the bank; and what these rights were was matter for the Durbar to determine, subject to the appellate review of the Resident; and, of course, she wished to exclude from all share in the management of the bank the man whom she accused of hatching a foul conspiracy against her reputation, happiness, and worldly goods. If Joitabaee's story was true, to plead for the continuance of Baba Nafra in the bank for one hour would have been a scandalous offence against common justice, common decency, and common sense. If Baba Nafra's story was true, the conspiracy against the elder widow which it implied he had been previously guilty of rendered it equally desirable that such a man should no longer have any connexion with the bank in which that lady was so largely interested. In either case, it was proper that he should be sent about his business; and though the Resident could not procure his dismissal, it was but natural that Joitabaee should wish it. The implied attack on the vukeel is a matter which requires no comment.

80. In the next para. Captain French wrote,

"The late Mr. Boyd, when Resident here, forwarded to Government, on the 10th April 1841, certain articles of arrangement with the Durbar, the 25th of which sets forth that whatever business guarantees may have should be brought to the notice of the Durbar. But the active agent in this case, Larbaee (the mother of Joitabaee), though holding no pledge, instead of at once coming to the Residency, went to Bombay and entertained a vukeel, from which an unfavourable inference as to the justice of her cause may be drawn."

81. I confess I hardly perceive the precise nature of the argument intended to be conveyed in this paragraph. If the "active agent in this case" was not a guaranteed person, it would seem that she was not required to come to the Residency. She was the "active agent," in so far as she did her best to promote the interests of her persecuted daughter. Perhaps she might have acted more wisely had she at once come to the Residency; but the probability is quite as strong on the other side; for had she been arrested by scouts on her way into camp, she would probably have shared her daughter's fate, and both would have fared the worse. But, be this as it may, I do not see how, under the circumstances of the case, an "unfavourable inference as to the justice of her cause" can be legitimately drawn from her hastening off to Jumboosir, petitioning

* Since this was written, I observe the reason thus stated, in a petition addressed by Joitabaee to the Resident, on the 4th October 1847:—"Her mother on this left the Durbar, and wished to go to the bungalow in camp (the Residency) to complain, but that the Baba, as above-mentioned, placed men to seize her, and that from fright she went to Bombay."

petitioning from that place, and then, finding no improvement in her daughter's condition or prospects, proceeding to Bombay and availing herself of the best advice she could find means to purchase.

82. In para. 6, Captain French observed,

"The entire bearing of all concerned is so bad, and the case so notorious in the town, and was so from the first, Sir R. Arbuthnot refusing to visit the house on the occasion of the child being named, that I am of opinion Government would be fully borne out in cancelling the guarantee which, be it recollected, is 'during good behaviour.' In the book of guarantees the entry will be found No. 13, and, under the head of remarks, that it is subject to their own merits. His Highness denies that the pledge is hereditary, but the above shows the British Government reserved to itself the privilege of cancelling it."

83. In the foregoing passage the dishonest agency of Nursoo Punt is transparent, as I deem it my duty to show. When Captain French wrote that "the case was so notorious in the town * * * from the first, that Sir R. Arbuthnot refused to visit the house on the occasion of the child being named," he wrote that which, had he sought his facts from the Residency records, and not from the mouth of Nursoo Punt, he would have seen was the reverse of truth, and that, also, which reflection must now satisfy him was absurdly and transparently false. If the case had been "notorious," is it not intensely ridiculous to suppose that his Highness the Guicowar would have attended on the occasion of the child being named, thereby not only sanctioning a notorious fraud, but paying a compliment to a low caste child? And if Captain French had read the petitions of Joitabaee and her mother, he must have been aware that his Highness did so attend. It is further pre-eminently absurd to imagine that a respectable member of the banking community would have betrothed his daughter to a child notoriously the son of a low caste kolie, or that the betrothal, like the previous ceremonies, would have been graced by the presence of the Sovereign, and confirmed by the sanction of the heads of one of the strictest and most punctilious of the castes, had it been notorious that the child was a spurious one. And it appears to me a gross libel on Sir Robert Arbuthnot to suppose that, if it had been notorious, nay, that if it had even been whispered to him that a vile, felonious, brazen imposture had been perpetrated, with a view to defraud one of the widows and the infant son of an individual enjoying the British protection, he would not have taken steps to have an inquiry instituted. Only one reason can be assigned for the non-attendance of Sir R. Arbuthnot on the occasion referred to, and it is this: Though on rare occasions the Baroda Residents had met his Highness at the houses of respectable sowcars on the celebration of marriages, Sir Robert Arbuthnot had not done so on any occasion whatever; and it is extremely improbable that an officer who systematically abstained from attending even marriages, would think of attending on other and minor occasions of family rejoicing. The supposition that he should have ever thought of doing so becomes violently improbable, when I mention that though I have caused the records to be searched since 1821, that is for a quarter of a century prior to the naming of Joitabaee's son, I can only find two instances of a Resident visiting at the house of a sowcar on the occasion of any other celebration than a marriage. Indeed I am not certain that more than one instance can be cited. For though I find that Mr. Williams went to the house of Shewlall Paruck in 1828, the nature of the festivities are not stated; and as there was an interchange of presents, it is not improbable that the occasion was that of a marriage. The only other instance I find is one in which Mr. Boyd attended at a private house, but not to be present at the naming of a child. But though it is not usual for Residents to attend such ceremonials, invitations are still sent. In conformity with traditional usage an invitation had been sent to Sir Robert Arbuthnot, and in conformity with the custom of his predecessors, and in conformity with his own still more stringent individual practice, Sir Robert did not avail himself of the invitation. But I feel very certain he would be much shocked, were it brought to his notice that the fact of his not having broken his invariable custom in favour of Joitabaee's child, had been so successfully misrepresented by the native agent, as to mislead Captain French, the Bombay Government, and the Court of Directors into sanctioning a heartless conspiracy maintained by the foulest perjury; and that the deception practised on Captain French originated with Nursoo Punt, there can I think be little doubt. He had, as will be seen by a reference to Mr.

Letter to Government, dated 22 March 1847.

Andrews' letter, quoted from in para. 2, apparently attempted to palm the same argument on that gentleman. At all events he did so on me very soon after I assumed charge of the Residency. The intrinsic absurdity and sheer dishonesty of such an argument struck me forcibly at the time; and this circumstance, as Government are informed by my despatch dated 7th September 1848, suggested to my mind the first suspicions I ever entertained of Nursoo Punt being an untrustworthy man, and in the interests of Baba Nafra. For at that time I had not learned that these two worthies, while cunningly pretending to be foes, were really relatives and friends; and in mentioning my suspicions and the circumstances which first evoked them, to Mr. Mansfield (then Political Agent in the Rewa Caunta), that gentleman, who had till then entertained a high opinion of Nursoo Punt, and taken a great interest in his welfare, was obliged to admit that my suspicions were just and reasonable.

84. In continuation of his former remarks, Captain French proceeded:

"The legalized manager of the firm is Baba Nafra, a man Sir I. Carnac, in a khureeta of the 3d February 1841, warned his Highness against; yet then, as now, he enjoys guarantee, though on the previous 12th November the Honourable Court of Directors, in their despatch No. 2,468, in paras. 7, 8, 9 and 10, enunciate their hope of a curtailment of such 'anomalies.'

"This is not the place to enter on the general subject, but the opportunity seems to me fitting for suggesting in this one instance a reduction in the anomalies; and be it that the Honourable the Governor in Council is of opinion the tender age of the heir of the firm precludes our now cancelling the guarantee, I beg to say on that score that there need be no fears; for the manager of the house, Baba Nafra, is on friendly terms with the Durbar, and that, were it even otherwise, now, if any time for years back, it is not actually in the power of his Highness to oppress it. I need not remind you of the difficulty there is in our towns to introduce weights and measures, tending to general improvement, nor had the Durbar the power, and were they disposed to oppress Hurry Bhugtee's firm, on the cancelment of the guarantee, that there would not be in half an hour an open shop in the city.

"The Durbar would indeed be much surprised, did it suppose, even at this date so tenaciously preserving what the Court of Directors terms anomalies, arose from a desire to protect them from its vengeance, and its being believed his Highness had such power. When the pledges were given it was as much to protect the guaranteed from the ruler of the country, as the Arab jemadars singly or combined; but those days have gone, the jemadars not in being, and the ruler is positively ruled by the sowcars, one of whom is this very Baba Nafra (the manager of Hurry Bhugtee's house), the subject of these paragraphs, and against whose advice the Government of Bombay, in a letter to the late Guicowar, warned his Highness.

"But even had the Durbar the power, and were disposed to exercise it after the removal of the guarantee, surely the Resident by treaty could interfere. The power, I again assure you, exists not; and I may with equal certainty say neither does the inclination.

"Therefore under all the circumstances of the case, seeing no chance of this dispute being attended with other than very beneficial results to the firm of Hurry Bhugtee, &c., and bearing in mind that on various occasions it has done quite enough to forfeit the guarantee, I beg that in the spirit of the Honourable Court's view, given in the despatch of the 12th of November 1840, No. 2,468, the guarantee may be cancelled."

85. Though these remarks seem to have little pertinence to Joitabaee's case, they had a very important bearing on her prospects at the date of the letter; and though Captain French and myself have ever been as one in our general condemnation of "guarantees," yet I feel certain that that officer would not have written as he then did had not his mind been poisoned by the erroneous information and interested suggestions of his native agent, who while cunningly professing a desire to see a blow struck at the house of which Baba Nafra was manager, seems to have recommended a measure which, if carried out, would have given a complete triumph to that bad man, have afforded him a complete immunity for all his past misdeeds, and have rendered him irresponsible for his after conduct as manager of the bank.

86. Baba Nafra had, in Captain French's estimation, been an accomplice of Joitabaee in a foul conspiracy not only to plunder the other widow, and the youthful heir of his late master, but socially to degrade both these ladies and their families. Captain French was aware that, in addition to this foul moral depravity, the notorious bad character of the man had caused the Bombay Government not only to prohibit his admission to the Residency, but to warn the Guicowar against listening to his counsels. He was aware, not only that in spite of this warning, Baba Nafra was "on friendly terms with the Durbar," an expression which is significant of much to Oriental minds, but that he was one of the most influential of the sowcars, by whom "the ruler is positively ruled." In other words, that so far as regarded the Durbar, the Baba could do pretty much as he pleased. And yet he proposed that the only check on the Baba's rascalities which still existed, viz., an appeal to the British authorities, should be removed by the immediate cancelling of the guarantee. Had he suggested that before adopting this measure, the man whom he accused of having already attempted to defraud the youthful heir of the firm, should be removed from all connexion with it, I should have understood and acquiesced in his recommendation; I myself had long advocated the cancelling of the Hurree Bhugtee guarantee, for various frauds which had been perpetrated in past years, and had I remained at Baroda, I should have continued to press for its abrogation, whenever an opportunity of alluding to the subject was afforded me. But I should have taken care to make it explicitly understood, that the withdrawal of the guarantee in no way prejudiced the claims of Joitabaee, or of anyone else, whose suit had been commenced while the guarantee was intact. Not only, however, was no such specification made by Captain French, but, as will be hereafter seen, he broached the doctrine that not even the existence of the guarantee authorised us to take measures against Baba Nafra, even on the assumption that he was guilty of all that Joitabaee had ever laid to his charge. So completely did Captain French promote the objects of Baba Nafra, and destroy the prospects of Joitabaee, by urging his recommendation at that particular juncture, that, as will hereafter be seen, Joitabaee regarded the recommendation as virtually a sentence of death against herself. If, she argued, Baba Nafra's power enables him with impunity to abduct his master's orphan, imprison, defame, insult, and plunder his widow in spite of the British guarantee, what will prevent him murdering the widow when the guarantee is abrogated. And she argued not badly.

87. To the letter above noticed, written on the 22d February, Government replied on the 21st of the succeeding May, desiring Captain French to inform Joitabaee that "as she had refused to consent to the arbitration of the dispute by a punchayet, Government declines to interfere further in her behalf." The letter proceeded thus: "With respect to the Mooneem Goomashta, Baba Nafra, I am to state that, as at present informed, Government does not perceive the grounds of your suspicion that he was a party to Joitabaee's proceedings; but if it can be shown that he was so concerned in the matter, his Lordship in Council will not object to the elder widow, who, and her son Purshotum, are presumed to be the representatives of the firm, being advised to dismiss that individual from her employ and confidence."

88. The grounds of the suspicion I should have thought were sufficiently obvious. This Baba Nafra was the supreme ruler and director not only of the business establishment of his late master, but of the entire household, inclusive of the dwelling apartment. With him rested the power, and by him was exercised the right, of engaging and dismissing at will every servant in the house. He was the acknowledged head to whom all looked, and whom all dreaded; from him all orders emanated, and to him all references were made, all reports addressed. Had the house been his own individual property, he could not have been made more completely its master than he then was; nor more thoroughly the controller of its most trivial affairs. The man having, and exercising, this almost autocratic authority, was the trustee of his late master; and it was his duty to watch the interests of the elder widow and orphan of that master. It is not only alleged that a foul fraud was perpetrated against these individuals, by the introduction of a spurious child, a fraud which all writers maintain can only be successfully practised by means of a widely ramifying collusion; but further, it is alleged that Joitabaee's pregnancy, acquiesced in by Baba Nafra, was at the time notoriously fictitious; and her delivery, the arrangements for which required

to be made by the same individual, as notoriously a fraudulent deception. On these allegations of Captain French, did Government to all appearance, and the Court of Directors in express terms, found the unfavourable opinion expressed of Joitabaee; and if these allegations were even partially true, it is difficult to conceive how any one could for a moment believe that the fraud could have been perpetrated without the collusion of Baba Nafra, and if any one could have a doubt on the subject, none could possibly be entertained as to the Baba having been an accomplice to the fraud "after the fact," if fraud there had been. For if one tittle of credence is to be given to the notoriety insisted on by Captain French, the whole city must have, for upwards of a year, rung with Joitabaee's shame. Yet Baba Nafra continued to treat the child as the posthumous son and heir of his late master, till after a series of misunderstandings with the lady certain kolies appeared and deposed to having sold the boy to her.

89. Surely these circumstances were enough to prove that if the fraud attributed to Joitabaee had really been practised, it could only have been practised by the cognizance of Baba Nafra; and it must, I think, be allowed, that Government had no further information as to the grounds of Captain French's suspicions regarding Joitabaee, than they had as to his suspicions regarding Baba Nafra. If the evidence was satisfactory in the one case, it would seem to have been still more satisfactory in the other. The only ground Government had for believing that Joitabaee was an impostor, was Captain French's assurance that everybody believed her husband to have been impotent, and herself to have been childless. If the alleged universal belief were decisive in her case, an universal belief to the discredit of Baba Nafra ought surely to have been considered equally decisive against that individual. And in the former case, Government had only Captain French's assurance as to the universality of the belief, in the latter they had the additional testimony of Mr. Andrews.

90. I have already said that the amelioration I had effected in Joitabaee's lot had subsequently been more than cancelled by Baba Nafra, who not only placed new guards over her himself, but with a view to give to Joitabaee's imprisonment some sort of appearance of legality, had got these reinforced by guards procured from the Guicowar, through the assistance of his friends in the Durbar. That this seeming legality was but a flimsy screen was obvious from the fact, that the Durbar at no time regarded Joitabaee as their prisoner. As Mr. Andrews had observed, at the commencement of the dispute, the whole business had been conducted within the bank itself; Baba Nafra, on his own authority, had imprisoned his master's widow; and though it is not much to be wondered at that his conduct was connived at by a Durbar represented by Captain French to be under the thraldom of that very body of bankers of which Baba Nafra himself was the most influential member; still the Durbar never regarded itself as officially involved in the case; and in thus endorsing a procedure, which by its own official statement was unparalleled in the history of Baroda, and a procedure which, even had Joitabaee been guilty of the fraud attributed to her, would have been a gross outrage on common decency and common justice, (viz., the imprisonment of a lady enjoying the British guarantee, in her own house, by her own steward, and solely on his own authority, and that too after I had directed her release from so irregular a confinement), the Durbar were guilty of an act which might well have awakened Captain French's indignation, or at all events have induced him to demand explanations.

91. But far from either showing indignation or demanding explanations, he treated the appeals of Joitabaee with an indifference and harshness which I can only account for by believing that they were inspired by Nursoo Punt, and partly by Baba Nafra himself, who had then been proclaimed by Captain French, at one and the same time, a villain of deep dye, and quite unworthy of the honour of visiting at the Residency. In support of these assertions, I beg to refer to the translated yads which passed between Captain French and Joitabaee, as contained in Appendix (A.), especially to her letter of the 10th April 1849, and his reply of the 11th idem. That in the former of these documents Joitabaee, maddened by the horrible conspiracy of which she was the victim, driven to desperation by the apparent hopelessness of her hard fate, and feeling additionally outraged by the absurd pleas advanced by Captain French in defence of a confinement more rigorous than that which I had disallowed, did express herself with some warmth, and with an irony that may have been distasteful to the Acting Resident,

Appendix (A.)

I readily

I readily admit; but I positively deny that her letter (or its first three paragraphs, to the perusal of which Captain French limited himself) was either "low" or "unbecoming," or that it contained a single statement or implication that was not strictly true. There are trials which obscure the sense of official propriety and Durbar decorum; and who will deny that Joitabaee's trials had not been of a nature to unsettle the strongest mind, and that the seeming indifference to her sufferings on the part of the Acting Resident, with that officer's persistent neglect of her most reasonable complaints and requests, were well calculated to make her forget the deference officially due to him?

92. Up to the 10th of April her letters had been touchingly gentle and submissive, and though she could not but have felt that she was treated with excessive harshness and scanty justice by Captain French, and that her requests had been most unreasonably set aside, she threw all the blame on Baba Nafra and his allies. In reply to a supplicatory letter written on the 2d of April, in which Joitabaee had complained of the double set of guards placed over her, and who not only kept her prisoner, watching her actions and dogging her steps, but who offended her with their obscene jests, Captain French had directed Baba Nafra to remove those that he had posted. Joitabaee acknowledged this act of kindness on the 5th, but being entitled to British protection, she justly enough represented that the removal of Baba Nafra's guards was not enough; she demanded satisfaction for the outrage that had been offered her by the placing of those guards. She besought the Acting Resident to punish the perpetrators of that outrage, which she pointed out was in open defiance of the explicit orders I had previously issued, and she entreated that the Durbar guard might also be removed. App. (A.), No. 25.

93. To this Captain French replied the same day, as follows:—

"I have to acknowledge the receipt of your yad, dated 5th April 1849, requesting that as Baba Nafra has already removed the guard which was placed over you, that his Highness should also do so. In reply, I beg to inform you that nothing could have induced his Highness to place a guard over you, but considering that as you, being tender in age, and may be in possession of joys, jewels, &c., belonging to the shop of Hurree Bhugtee, and paying regard to his name, it may have been thought advisable by his Highness to keep a guard over you, with no other motive than to keep you secure from the depredations of robbers, who are too common in the town. Your case, I beg to say, is already before the Bombay Government, and a reply is shortly expected. It is impossible (improper) in you to trouble the Surkar by your hearing the evil advice of your vakeels, &c. The bearer, Narrain Row Chimnajee, a karkoon in the residency office, has been instructed to call on you, to read and explain to you the purport of this yad." App. (A.), No. 27.

94. The jewel plea assigned by Captain French, in explanation of the reinforcement of Baba Nafra's guards by others sent from the Durbar, and in defence of the latter having been continued after the former had been removed, is in itself too intrinsically absurd to require a moment's notice. But I may observe, that even were we, in violation of common sense, to suppose that the abruptly impressed Joitabaee had secreted about her person any valuables to which she was not entitled, it would not have enhanced the gross indignities to which she had already been subjected, to submit her to the examination of a lady of her own rank; such an examination would undoubtedly have been instituted had Baba Nafra for a single moment fancied any jewels were secreted. The allusion to the "tender age" of the young widow, and to the regard due to her defunct husband's name, seem only to have reference to a vile story concocted by Baba Nafra, to the effect that she was unchaste. This story seems first to have been got up with a view of disinheriting her son on the plea of illegitimacy, instead of on the ground that he was a purchased child; and it was afterwards revived as a pretext for insisting that her vakeel (an old man) should never be allowed to have access to her, except in the presence of a jassood. And of this mode of practically evading the license to employ a vakeel, which I had claimed for her, Joitabaee had complained in more than one of her petitions, asserting (and with truth) that the jassood kept so close to her, that she could not communicate anything to her legal adviser or receive any communication from him, which did not reach the ear of the spy sent to listen to and report their conversations to Baba Nafra.

95. When these things are borne in mind, and when it is recollected that Captain French had totally ignored Joitabaee's request that Baba Nafra should be punished for having re-imprisoned her, after my explicit orders to the contrary, I feel confident that no one possessed of manly sentiments, or of a common sense of justice, will find in his heart to condemn the unfortunate lady for writing the remarks which constitute the first three paragraphs of her letter of the 10th of April; the "low" and "unbecoming" character of which, Captain French assured her had prevented his proceeding further in its perusal.

App. (A.), No. 28.

96. As Captain French says he read no further than the three first paragraphs of Joitabaee's letter, there can of course be no doubt that such was the case. But it is to be deplored that his perusal of the document was thus limited; had he read a little further, the gross absurdity and the insulting character of his vindication of the Durbar, must, I think, have struck him so forcibly as to have induced him to abstain from accusing the poor, friendless, oppressed widow of using "low" and "unbecoming" language.

97. In reference to Captain French's assertion that the guards placed over her by the Guicowar were designed to protect her against robbers, Joitabaee naively remarked, that Baroda abounded in people reputed to be possessed of wealth, and begged the Acting Resident to ascertain to how many of these the Guicowar extended a similar benevolent protection. She appealed to the statements made by her guards themselves to the residency carkoon, to the effect that whenever she left her accustomed corner of the room they followed closely on her. She asked the Acting Resident whether such restriction did not more accurately come under the designation of imprisonment than under that of protection; and she inquired if the Acting Resident would maintain that the infliction of such imprisonment at the sole instance of her own unfaithful steward, and in direct violation of my clear and explicit orders, was a just or proper act on the part of the Durbar. Respect for the honour of her deceased husband's name, she very justly observed, should have prompted the Durbar to afford protection to his widow and infant son, to listen to their complaints, and redress their wrongs; it was a poor pretext to offer for imprisoning the widow, and granting immunity to the abductor of the orphan. She solemnly denied that she was acting under the "evil advice of vakeels;" she acknowledged that she required, and that she had made use of her vakeel's knowledge and experience, and she asked the Acting Resident wherein lay her guilt in so doing. "I beg," she wrote, "to submit, that in the whole world nothing is done without deliberation." The following appeal is as true, as it is touching.

"For the 'upholding of the great respectability of the firm of Hurree Bhugtee' the Maharaj Sirkar has resorted to this very benevolent measure of placing guards upon me. But, with only a single suit of clothes, I joined my mother at Dhackjee's Wada, and upon sending my people to my house the next day for my clothes, the Sirkar prevented their obtaining them. This, however, the Maharaj did not take into account, and as the expenditure of my house amounts to lacs of rupees, and thousands of people are being provided for thereby; such being the case, yet up to the present time I had not been allowed a single half seer of flour from my house. Even to persons charged with the greatest crimes imaginable, the Company Sirkar, within the twelve hours of the day, allows them food. It is incumbent, therefore, on the part of Maharaj Sirkar, to take this into consideration, which however he does not do. Nafra having great influence over the Maharaj, how is it to be expected that the Maharaj should pay any attention to such matter? But the Resident had been written to about my expenses being defrayed from my firm; and the Resident, on the 31st December 1848, in his reply, stated that he could not sanction the disbursements mentioned in my yad. But I did not wish the disbursements in question to be made from the Government Treasury, but from my own firm; regarding which, however, the Resident did not think proper to write to the Bombay Government, and refused the prayer at once. But the Company Sirkar having pledged their word to the Dewanjee's people, rendered them every assistance; now the same Sirkar's guarantee has been extended towards me, what objection therefore existed to the Sirkar permitting my expenses to be disbursed from the funds of my firm? At the present time it is owing to my evil destiny that there is no gentleman who is willing to dispense justice,

justice, but as I am put to much difficulty on account of my expenses, this disgrace the Resident should take into consideration."

98. In reference to Captain French's assurance, that her case was under the consideration of Government, Joitabaee very justly observed that this was a poor answer to her petition for the removal of the Durbar guards, seeing that Baba Nafra and his friends made open boast of the nature of the reply Captain French's representations were certain to elicit from Government. She wrote:— "The clique of Baba Nafra congratulate themselves that the Resident has written to the Bombay Government, to induce them to withdraw their guarantee which the firm at present enjoys; and that, upon this measure being sanctioned, as they enjoy the protection of the Guicowar Sirkar, they need not fear being punished, and that, as I had been formerly confined in a dark room, that the time is approaching when I shall again be subjected to the same treatment; if such be the consequence of my having petitioned the Resident, I am hopeless."

99. Had Captain French read thus far it is to be hoped he would not have so summarily disposed of Joitabaee's letter, on the score of its "low" and "unbecoming" language; and had he perused what immediately followed, he would, I am sure, have admitted that Joitabaee was indeed a victimised woman, and have seen cause to suspect that he had been betrayed into an act of injustice by the plausible bad man on whose representations he had relied.

"One circumstance troubles me much, *i. e.*, the Resident having written that my case is pending before the Government of Bombay, and that ananswer in the matter may be looked for shortly. But Colonel Outram had ordered that, consequent upon my mother Larbaee not having given in her deposition, the case had not been concluded, but that so soon as such deposition was taken, the case would be completed at the Guicowar Sirkar's, and would then be sent before him, and that when the case was brought before him, he would take into consideration what I had to urge on my part, and have the case adjudicated; therefore my mother was induced to give in her deposition, but I am not informed whether, after giving in of such deposition, whether the case has been sent before the Resident or otherwise; but the Sahib states that the case is pending before the Bombay Sirkar, therefore I beg that the Sahib will be pleased to afford me every information on this subject."

100. The motives that induced Baba Nafra to make open boast in the city of the reports and recommendations which Captain French, under the malign influence of Nursoo Punt submitted to Government, may be readily understood. The same motives prompted him to drive Joitabaee to madness and despair, by communicating to her that the Acting Resident had not only urged on Government the immediate cancelling of the guarantee, in other words, the immediate removal of the only check to the Baba's persecution of her which still existed, but that he actually maintained that, in spite of the guarantee, Government had no right to invoke punishment on her persecutor even were all her allegations true. Coupling the information thus maliciously conveyed to her, with the extraordinary display of friendship made by the Resident towards Baba Nafra on the 28th of the preceding February, and taking further into consideration the unlimited power and influence that the Baba possessed, as illustrated by the Durbar's acquiescence in all his irregular and lawless acts against his mistress, it cannot be a matter of surprise that Joitabaee trembled for her life, nor ought it to be a matter of reproach to her that, in her anguish and despair, she should have thus written:—

"The Bombay Sirkar had written to the Maharaj to remove Baba Nafra and his partners in crime from their several offices,* and it does not appear that the said Sirkar had given this order with a view of furthering their own interests, but it is evident that such order had been made with the view of preserving the friendship which obtains between both the Sirkars, but, such being the case, any parties at the present time, should they

* Alluding to the correspondence between the two Governments on the subject of the Dhackjee-Dadajee affair in 1843.

they ever feel disposed to murder one in my position, they may do so with impunity, as far as the Guicowar Sirkar is concerned, therefore I am induced to solicit the Resident, that he will be pleased to submit to me any order which may have been sanctioned by the Bombay Government, or any of the late Residents, permitting Baba Nafra to commit murder; so that I may feel satisfied, and not cease to adopt any measures calculated to secure me redress. The Sahib should forgive me for thus troubling him, because the Sahib would appear to be ignorant of the practice obtaining under the Guicowar Sirkar's rule, as also with the people and customs of this country; and consequently I am denied redress, and exposed to much inconvenience and suffering; and therefore I am compelled to urge that you should inform yourself upon these points, when only these intrigues are likely to be punished, and I relieved from my present miseries."

101. Yet these were the representations, and such the language, which Captain French rejected, on account of the "low" and "unbecoming" phraseology of the first three paragraphs.

App. (A.), No. 30. 102. On the 20th of April, Joitabaee addressed another letter to Captain French. In the opening paragraph she reminded him that she had throughout implicitly obeyed the orders conveyed to her by myself and him. "But," she wrote, "the road leading to what is called justice I have failed in finding; on the contrary, my several petitions have not only been unattended to, but I have been menaced; extraordinary conclusions have been come to, and extraordinary decisions have been passed in my case."

103. Amongst other things she alluded to the fact, that without taking the trouble to investigate her case, and without affording her an opportunity of explaining it to him, Captain French had recommended its settlement by such a punchayet from which there lay no appeal; and expressed her opinion that such a recommendation could only have been made at the instigation of Baba Nafra's relatives, Gumnesh Punt, and Nursoo Punt, Captain French's native agent. "It is," she wrote, "evident that the Sahib has been misinformed, and has reported on this case without taking the trouble to inform himself of its merits; and when, in consequence of this, for the purpose of having it explained, according to the orders of the Sahib, and in accordance with the rules of justice, I happen to express myself anxiously in informing the Sahib, he becomes angry, fancying that his orders are not respected."

104. She implored Captain French so far to do her justice as even at that late period to peruse her petitions, and thus be in a position to judge for himself. She complained that her lot was doubly hard, inasmuch, being ignorant of what reports Captain French had made on her case, she was "at a loss to make known her grievances to the Bombay Government," and rectify the errors into which that Government might be betrayed through the ignorance of her case on the part of Captain French, and the false reports made to that official, and by him unsuspectingly communicated to Government.

105. And thus accurately did she describe the course of her hopeless suit: "Unnecessary delays have been permitted to interfere, having for their object the placing of the case, by procrastination, in such a position as to prevent its being ultimately established, and the charges therein contained brought home to the parties who have perpetrated them. Thus, on every side am I betrayed into difficulties; and all that the Sahib has done for me has been to remove the guards and jassood who have been placed upon me by the Maharaj and the rebellious Baba Nafra; beyond this the Sahib has done nothing towards relieving me from the difficulties I am surrounded by on every side; and the measures which, in accordance with the rules of justice, it was incumbent upon the Sahib to have adopted, he has entirely overlooked and set aside."

106. She complained, that while, in his letter to her, Captain French had never answered her remonstrances, he imparted irrelevant matters, and adduced, as an illustration, the letter of the 5th of April, in which the Acting Resident had, in vindication of the Guicowar's conduct in reinforcing Baba Nafra's guards, impugned her honesty and her chastity; and she begged that she might be furnished with an attested copy of the representations in which he had ventured to do so.

107. In

107. In reference to Captain French's request, that she would not listen to the bad advice of her vakeel and "give unnecessary trouble," she observed, "I beg to submit, that this remark is at variance with the rules of justice and the usual practice in such cases; if such a remark be made, it can only emanate from my opponent or his supporters; but for such a remark to come from the Sahib does not appear proper." She entered into the matter at some length to show that it was not her fault so much trouble was given; and she wound up with expressing a "sanguine hope that the Resident would be pleased to take the whole of the above circumstances into consideration, and not feel vexed at her writing to him, and not think it a labour to peruse her petitions." Concluding by intimating, that she "would feel obliged if the Sahib will be pleased to transmit with this petition all the papers which have, up to the present day, passed upon this subject to the Governor in Council;" having previously, in the 1st paragraph, stated, "If, however, the Resident be disinclined to write to the Bombay Government to the above effect, it is requested that this, my yad, may be transmitted for the above Government's information."

108. This petition was, like the petition of the 10th, returned to the writer, and on it was the following endorsement by Captain French, dated 21st April.

"The order on this matter is, that on the 10th April 1849, your petition, improperly written, had been received, and was returned by endorsement. The present petition, upon a perusal of a portion of its contents, has been found to be similar to your former petition as regards the unbecoming language used therein, consequently it is returned to you without the whole of its contents being perused; therefore, if you are desirous of sending any petition, you should cause such petitions to be properly and temperately written." App. (A.), No. 31.

P. S.—"What is the benefit of your sending petitions? The Bombay Government has been written to regarding your case, and upon a reply thereto being received, the decision of the Bombay Government will be made known to you."

109. The Bombay Government had indeed been written to, and very erroneous were the reports that had been written. Had Captain French granted Joitabaee's request, that if he failed to comply with her petition, he would at least send it on to Government, that body might at length have perceived the injustice of which she was the victim. But Captain French heeded not the widow's request.

110. The unhappy lady again addressed Captain French on the 25th of April, entreating him to "take into consideration that I am being severely oppressed, and that besides yourself I have no other to look to for redress, and that, consequently, if I do not lay my grievances before the Sahib, where am I to seek for justice?" And she once more entreated to be furnished with attested copies of the representations on which Captain French had been induced to justify her imprisonment on the plea that she was in possession of jewels not her own, and that she was unchaste. But no reply seems to have been vouchsafed to this affecting and most reasonable petition. App. (A.), No. 32.

111. On the 7th of May, Joitabaee, wearied with addressing an officer who treated her after the fashion indicated in the foregoing paragraphs, disappointed at his inattention to her request to forward to Government her petition of the 20th April, and attributing the denials of redress she met with at the hands of the Bombay Government to the erroneous representations of Captain French, and the withholding by that officer of her several representations, sent a sealed petition to the Acting Resident for transmission to Government. This petition, dated 7th May, which was written in Maharatta, contained Guzerattee copies of those she had addressed to Captain French on that day, and on the 10th and 20th of April; and her motive for thus addressing Government direct is thus stated in her concluding paragraph:— App. (A.), No. 33.

"In the memorial which your petitioner forwarded to the Resident upon the 20th April 1849, she begged, in the event of his not acceding to the request therein contained, that he would forward her memorial, together with its within-named papers, to your Lordship in Council, in order that his report and the memorial might be simultaneously considered. The Resident not having acceded to your petitioner's request, she herewith forwards copies of that memorial, and of one bearing this day's date, 7th May 1849.

P. S.—"Your

P. S.—"Your petitioner humbly requests that before despatching an answer to the Resident, your Lordship will direct him to supply the petitioner with all papers relating to her case, in order that she may enable your Lordship to compare the Resident's report with her statement, and so decide the case."

112. This memorial was despatched by Captain French on the 10th of May; On the 13th of June, Government returned it and its enclosures to Captain French for translation, and at the same time referred him to the letter of the 21st May, in which Government had refused to interpose further, that is, at all, in Joitabaee's behalf; the said letter having been in reply to the communication in which Captain French had unjustifiably and inaccurately reported that Joitabaee had declined to consent to the settlement of her affairs by arbitration.

113. On the 21st of July, Captain French transmitted to Government what he was pleased to call the translated substance of Joitabaee's petition. And in doing so he added, "From the memorandum appended it will be seen that the enclosures are mere repetitions in all respects of former complaints."

114. By what right, or on what grounds, or with what object Captain French abstained from sending to Government full translations as well of Joitabaee's petition, as of its enclosures, it is for that officer, not for me, to explain. He had ample time for their preparation; 40 days having elapsed between the receipt of the documents and the despatch of what he styles their "translated substance." The fact of the petition having been sealed, showed that Joitabaee had ceased to have confidence in the Acting Resident; that she desired to appeal from him to his masters, and that she was anxious her appeal should reach those masters in its integrity, and not be tampered with at the Residency. The petition itself set forth, that the reason of its being sent was, the petitioner's suspicion that Captain French had withheld some of her representations; and Captain French was well aware that the surmise was well founded. Under these circumstances, surely delicacy, manly feeling, justice, and official decorum, prescribed that the widow should have the full benefit of laying her case before Government in the way she desired. And even if Captain French thought himself justified in withholding those documents which Government had directed him to transmit in a translated form, surely nothing but the deception practised on him by Nursoo Punt could have induced him grossly to misrepresent them. And in stating that the enclosures to Joitabaee's petition of the 7th of May were mere repetitions of her petition of the 21st of December, he did undoubtedly misrepresent them, just as on the occasion of his first letter to Government he had misrepresented the petitions she had written prior to my departure.

115. I subjoin in parallel columns the memorial of the 7th of May and what Captain French called its "translated substance." He doubtless believed it to be so, on Nursoo Punt's assertion that it was, but a comparison of the two documents will show that the latter did not display what Joitabaee was anxious to make known to Lord Falkland, viz., her conviction that her case had been misrepresented in the reports which the Acting Resident had sent to Government, and her anxious desire that she should be furnished with copies of those reports, to enable her to demonstrate and correct the erroneous statement they contained.

MEMORIAL addressed to Lord *Falkland*, dated the 7th May.	"TRANSLATED SUBSTANCE" of the Memorial of the 7th May.
Para. 1. Your memorialist humbly showeth, that on the 21st December 1848 she forwarded a petition to your Lordship, who returned it, with an endorsement, dated 25th January 1849, and to the effect that it should be forwarded through the Acting Resident, Captain French. This your petitioner accordingly did; but the Resident's answer not clearly stating that the petition had been forwarded, she now begs that, in case it has not been, your Lordship will require it from the Resident. And if, upon perusal, the circumstances therein stated shall not seem thoroughly intelligible, your Lordship will consider that, owing to certain reasons, all of which are stated in your petitioner's memorials	Para. 1. In reply to my petition of the 21st December 1848, I was referred to the Acting Resident, to whom the document was forwarded; but whether it has since been sent to Government I know not. A perusal of it is necessary to become acquainted with the circumstances of my case. By referring to the petitions of the 20th April and 7th May, preferred by me to the Acting Resident, the difficulties of my situation will become apparent, and I beg that the Resident may be instructed to inquire into the matter.

memorials of 20th April (with its enclosure of the 10th idem) and 7th May 1849, here enclosed, she is unable to enter into full details. Your petitioner further humbly hopes that your Lordship, having brought under his consideration the continued grievances she has suffered, owing to the overlooking of her former complaints, will be pleased to direct the Resident to hasten the investigation of her case, as stated in the above-mentioned memorials.

Para. 2. If, as requested in the above memorials, your petitioner shall be allowed copies of all papers relating to her case, she will thereupon furnish your Lordship with so clear a statement as shall save all trouble in the coming investigation. In the absence of those papers, being ignorant as to what the Resident may have written, your petitioner is unable to draw out the said statement, she therefore begs your Lordship to prevent any objections to her receiving the requisite papers being put forth.

Para. 2. Otherwise copies of all the correspondence on this subject should be furnished me, which will greatly facilitate the investigation, and without which Government will be unable to judge as to whether the Resident has taken a right view of the case or not. On receipt of these documents I will communicate the circumstances in detail; after taking which into consideration, as also what the Resident may write on the subject, I pray that a just and decided order be issued. In the meantime I hope no instructions will be sent to the Residency.

Para. 3. Your petitioner humbly begs that your Lordship in Council will investigate simultaneously the Resident's report and her statement, refraining from answering the former until such time as his final decision shall have been published.

Para. 4. That your Lordship will, and at his earliest convenience, dispose of the case, is the petitioner's prayer.

Para. 3. I pray that either of the above plans be adopted for the settlement of my affairs.

Para. 5. On the 2d August 1847, your petitioner wrote to your Lordship, begging that arrangements might be made for the prevention of injury to the estate of her ancestor, Hurree Bhugtee. She has, moreover, on more than one occasion, and lastly on the 20th April, addressed the Resident upon this subject, but, as yet, without result. She therefore anew solicits your Lordship's notice of the matter.

Para. 4. Several applications have been made to Government, and the Residency, for the protection of the wealth of the firm of Hurree Bhugtee, but, as yet, nothing has been done.

Para. 6. In brief, your petitioner humbly requests these arrangements for the prevention of injury may be made before the investigation of the case, and that, in the interim, she may be allowed resources adequate to her necessary expenditure.

Para. 5. If the inquiry be instituted before these arrangements are made, much of the property will be lost. I beg that arrangements be likewise made for my expenses.

Para. 7. This lawsuit has entailed upon your petitioner unavoidable debts, for the payment of which she is much pressed; and to free her from which, and enable her to live after the manner of her ancestors, she has before petitioned your Lordship. Two years have elapsed since she first represented her just claims, but, as yet, they remain unsettled while difficulties accumulate.

Para. 8. In the memorial which your petitioner forwarded to the Resident, upon the 20th of April 1849, she begged, in the event of his not acceding to the request therein contained, that he would forward her memorial, together with the within-named papers, to your Lordship in Council, in order that his report and her memorial might be simultaneously considered The Resident not having acceded to your petitioner's request she here forwards copies of that memorial, and of one bearing this day's date, 7th May 1849.

Para. 6. My former petition the Resident was requested to submit to Government, should he be unable to effect a settlement; but as this has not been done, I now beg to enclose copies of these papers for the information of Government.

Postscript.—Your petitioner humbly requests that before despatching an answer to the Resident, your Lordship will direct him to supply the petitioner with all papers relating to her case, in order that she may enable your Lordship to compare the Resident's report with her statement, and so decide the case.

Dated 7th May 1849.

116. The memorandum alluded to by Captain French, as showing that "the enclosures are mere repetitions, in all respects, of former complaints," is as follows:—

Memorandum.—"The petitions sent to the Resident alluded to above are mere repetitions of the grievances already recorded in the English petition of the 21st December 1848, received from Government under endorsement No. 355, January 1849, and expressing a desire that no orders be given to the Resident until the case has been strictly inquired into."

117. Two of the three enclosed petitions were those of the 10th and 20th April, the contents of which I have already had occasion to notice at some length; and how Captain French could reconcile with his conscience the assertion that these documents were but repetitions of the petition of the 21st December 1848, is more than I can comprehend. When he thus designated them, he had either read them or he had not read them. If he had not read them, he did a very reprehensible thing in pretending to give an account of them; if he had read them, he must have perceived that they chiefly referred to matters not alluded to in the December petition. He must have seen that they contained strong appeals against himself, and that they distinctly implied not only that he was under the influence of Baba Nafra and Nursoo Punt, but that his recommendation of a punchayet, from which there should be no appeal, had been suggested by these people. He must have observed that the wisdom and humanity of his recommendation for the immediate abrogation of the guarantee, while Baba Nafra remained in the bank, had been seriously impugned; and he would have seen that Joitabaee not only protested against the defence of her imprisonment, which he had urged, as gross and gratuitous insult to herself, but that she had exposed its flimsiness and absurdity in a very happy manner; all of which grounds of complaint had arisen subsequent to the 21st December.

App. (A.), No. 33. 118. The other enclosed petition was that to himself, of the 7th of May. In that petition, in which Joitabaee distinctly accused Captain French of having remained wilfully ignorant of the merits of the case, by refusing to read the papers in which she endeavoured to describe them, she made some truthful but doubtless unpalatable strictures. On his request she would "cease to give unnecessary trouble;" and she criticised the remarks he had made on her petitions of the 10th and 20th April, which it was clear she herself had not considered "low and unbecoming," else had she not sent copies of them to Government. Yet these three documents, of which translations had been required by Government, were withheld on the plea that they were "mere repetitions of the petitions of 21st December 1848."*

119. Captain French, after thus summarily disposing of the widow's petitions, went on to say,

"The Baee, you will observe, always speaks as if she were the owner of Hurree Bhugtee's firm, whereas there is an elder widow of the late Bechur Samuldass, besides a son. For Joitabaee a distinct provision was made in the will of the deceased banker."

120. The "distinct provision" referred to was contained in an unattested deed, which Baba Nafra professed to have obtained from her husband, at a time Appendix (L.) when, as a medical committee (appointed by me to investigate the matter of Joitabaee's pregnancy) clearly believe, the banker was not in a state of mind or body to attend to business affairs; and the circumstances under which the deed was obtained, as well as the deed itself, savours strongly of fraud, as will, I Appendix (C.) think, be admitted by any one who candidly reads Appendix (C.) But be this as it may, the deed, even if knowingly signed by Bechur Samuldass, would be set aside by any equitable tribunal as having been written under the erroneous belief that his wife would not bear him a son. But even were it otherwise, Joitabaee had surely a claim to be heard, in respect, at least, of that "distinct provision"

* When Captain French had resolved on withholding the translations demanded by Government, and sending a "translated substance" in lieu thereof, it would have been better had he allowed Mr. Battye to draw up the "translated substance," instead of confiding to Nursoo Punt the duty of giving the "substance," and leaving to Mr. Battye simply the task of translating it, thereby making his assistant apparently responsible for the accuracy of the summary, while in reality he was only responsible for the fidelity with which that summary was rendered into English.

provision" to which Captain French referred. Whatever might be the precise amount of her pecuniary rights, it was undoubted these were withheld, under circumstances, if her tale were true, of peculiar atrocity. Captain French knew that they were withheld; and he ought to have reflected that, if he had sent translations of the enclosures to Joitabaee's petition, instead of withholding them on an erroneous plea, Government would have learned that Joitabaee had made many but ineffectual efforts to obtain, through Captain French, a subsistence from out of those funds, in part her own property, which Baba Nafra had been lavishing in suborning perjury against herself, and in buying up shares in Captain French's projected Baroda railway, with a view to ingratiate himself with the acting Resident.

121. In reference to the doubts expressed by Government, in their letter of the 21st May, as to Baba Nafra's complicity with Joitabaee, whom they had assumed to be guilty of a fraud, and, in reference to their recommendation, that if Baba Nafra's complicity were proved, the elder widow should be requested to dismiss him from his appointment, Captain French observed—

"With reference to the concluding paragraph of Mr. Acting Secretary Courtney's letter of the 21st May, No. 1,263, the part borne by the Moonim Baba Nafra is perfectly well known to every inhabitant of this city; but his services as active manager are indispensable to the existence of the firm, and the advice to the elder widow to dismiss him would be thrown away; for she, like Joitabaee, all concur in saying, is more than wanting in sense."

122. How the services of a man who was "perfectly well known to every inhabitant" of Baroda to have already prostituted his confidential post by the practice of a foul fraud and conspiracy against the elder widow and heir of his late master, could be indispensable to the well-being of the bank in which the fortune of the widow and heir were bound up, is, I confess, far from obvious to me; but I have no difficulty in understanding why Baba Nafra's relative and friend, the native agent, should have endeavoured to satisfy the acting Resident that such was the case. I can readily conceive that Meer Surfraz Allee and the other friends of the Baba, who visited Captain French, did their best to rivet that opinion in his mind; and I think it is a fair assumption that the Baba himself lost no opportunity of impressing it on the mind of the acting Resident, during the three months that had elapsed between the cancelling, by Captain French, of the Government's interdict, and the date of the letter under notice. The intimation contained in the foregoing extract, that Joitabaee was "more than wanting in sense," is the first and only one to that effect I have ever had; and if all "concurred in saying so" to Captain French, all concurred in practising on him a gross delusion; for she is not "more than wanting in sense," if these words be meant to imply that she labours under mental imbecility. But had it been so, surely every principle of humanity, justice, manly sentiment, and official duty should have prompted the acting Resident to sift the charges that had been brought against her with a jealous eye, to listen to and examine with scrupulous care into every complaint she made, and to insist that at least she should receive every thing to which she was entitled by the terms of the "distinct provision" referred to by Captain French.

123. In his fourth para. Captain French observed—

"If Government will persist in not further interfering in this matter, and tell Joitabaee that the decision come to in Mr. Courtney's letter is final, it is more than probable that a reconciliation will come about between the parties."

124. The decision referred to was, that the British Government would not further interfere in Joitabaee's behalf; in other words, that it would leave her to the tender mercies of her enemy, and of a Durbar that had already ranged itself in a most irregular and reprehensible manner on the side of that enemy. To such an arrangement the Baba would doubtless be readily enough reconciled; but how its finality was calculated, and "more than probable" to promote Joitabaee's reconciliation to that individual, is not quite manifest.

125. In para. 5 of his letter, Captain French went on to say—

"It is reported here by every one that the deceased banker had not been near Joitabaee for more than a year previous to his death, as well as that the ceremony of 'uggerney' in the seventh month of pregnancy was not performed.

This rite is not secret or private, but one in which all of the caste are invited to share. In fact, that the Baee not only bore no child to her husband, but was not a mother at all, is perfectly well understood here; but had it been the reverse, then the charge which she prefers against Baba Nafra is the child's abstraction; and supposing this the case, can Government punish him, a subject of his Highness, for an offence in this Raj, though he be the servant of a guarantee? I presume all that could be done would be to request the Guicowar to see justice done; and I need not tell you that this foolish lady, or rather her mother Larbaee for her, declined all interference by the Durbar."

126. There are two distinct points here mixed up together. The first of these is, an assertion alleged to rest on universal belief, to the effect that Joitabaee never had a child; the second, a practical denial that if she had a child, and that child had been abstracted by Baba Nafra, the British Government had any right to interfere in behalf of Joitabaee. In reference to the first of these points, I have only to observe, that unquestionable evidence exists, and will hereafter be adduced, to the effect that Joitabaee had a child, and that the reason of "uggerney" not being performed was the recent demise of her husband. The rite referred to [*vide* Appendix (J.) No. 38] is seldom if ever celebrated if the husband be very ill; it cannot be performed at all after his death; and if Captain French had taken the trouble to institute inquiries, he would have found that Joitabaee's husband died ere she had accomplished the seventh month of her pregnancy. As regards the second point, I feel certain Government will determine that so long as a guarantee exists, the terms of the guarantee render it imperative on the Resident to interfere in behalf of any of the subjects of the guarantee, who is the victim of so foul an outrage as the abduction of her child, imprisonment at the hands of the abductor, defamation of character, loss of caste, and deprivation of all her worldly goods.

App. (J), No. 38.

127. In the meantime Captain French received another petition from Joitabaee, founded on the Government letter of the 21st May, already quoted, which decided that as Joitabaee "had declined to consent to the settlement of the dispute by arbitration, Government declined to interfere further on her behalf." This letter is recorded as having reached Captain French on the 25th of May, and on the same day he communicated its contents to Joitabaee, who, in a petition, bearing date the 27th June, positively denied having given that flat and absolute refusal to the settlement of her case by arbitration which Captain French had attributed to her, and on which the decision of Government professed to be founded. She thus expresses herself: "Your petitioner begs, however, to represent, that she did not refuse to have her case investigated by a punchayet, as when the decision of your honourable Board was communicated to her she presented a yad to his Highness the Guicowar, requesting that she might be informed of the names of the arbitrators chosen by Mahaluxmee or Baba Nafra, soliciting also that arrangement might be made for bringing her child to Baroda; that the monies and property of her late husband might be kept in proper custody, and a suitable provision made for her (your petitioner's) maintenance, till the final adjustment of the matters in dispute; for, situated as she now is, it is impossible for her to obtain that justice which she solicited from your Government against the oppressions, conspiracies, and frauds practised towards her by Mahaluxmee and Baba Nafra. To these, however, no attention was paid, and your petitioner has again been obliged to address your Lordship in Council on the subject."

128. In this petition she enters into several of her grievances; she notices what she declares to be the untruths told by the other widow of her late husband; and in reference to the absurd jewel plea put forth in defence of her latter incarceration, under guards stationed over her, not only by the Guicowar, but by Baba Nafra, she remarks—"Your petitioner would ask whether this is a true and correct reason, and whether it is satisfactory for putting guards over her in the manner it was done, when it was too well known that your petitioner had left her husband's house by order of the Resident, with nothing else but one suit of clothes, in presence of the people belonging to the Residency, and his Highness the Guicowar, and had since (her release) remained with her mother to escape further injuries and oppressions from her opponents."

129. In another place, in the same petition, she more fully explained how little prospect there was of justice being done to her by any Baroda punchayet, and

and made requests, the justice of which it is not easy to question. "She therefore trusts your Lordship in Council will perceive from the foregoing statement that a strong conspiracy exists against her, which is rendered the more powerful in consequence of her opponents, her bitter and hostile enemies, who have hesitated at nothing to ruin herself and her son, being in possession of the immense wealth belonging to her late husband, and retaining the management of the affairs of his bank, to which numbers are indebted, many of whom will have to appear as evidences on the hearing of your petitioner's case, and over whom, in consequence of the obligations they are under to the bank, the manager of the same must have unbounded influence. Where, then, is your petitioner, a friendless young woman, the object of an untiring and infamous persecution, without means or assistance to enable her to obtain her rights, to look for justice and protection, but to that Government which guaranteed to her late husband, and consequently to herself, safety and protection from injustice and oppression? Your petitioner appeals to your Lordship in Council for justice and protection; the former she cannot obtain by arbitration, or any other court her case may be submitted to, unless she is placed on an equal footing with those opposed to her. She therefore prays that your Lordship will be pleased to cause the management of the affairs of her late husband to be taken from Baba Nafra, and entrusted to a committee of management, until the matters in dispute are settled, one of the committee to be chosen by the acting Resident, another by Mahaluxmee (the other of your petitioner's late husband), and the other by your petitioner herself. Baba Nafra, whom your petitioner has accused of forcibly abstracting her child and her jewels,* and of fraudulent misapplication of the monies entrusted to him, should be required to furnish securities for a correct account of monies, jewels, &c., taken away by him; and he should not be allowed any control or interference whatever in the affairs of the bank. Your petitioner also prays that your Lordship will be graciously pleased to direct that a suitable maintenance be allowed to her and Mahaluxmee from their late husband's property; and that both of them should not be permitted to touch anything further in the bank until the case is finally disposed of; but, above all that your petitioner has solicited at your hands, your petitioner entreats your Lordship in Council to cause her child, her only child, whose absence she now and has long mourned over, to be returned to her. Your Lordship will not, as a British nobleman, and at the head of a just Government whose guarantee your petitioner enjoys, allow her (your petitioner's) child to be forcibly withheld from her; she prays and beseeches that your Lordship will not permit this gross outrage upon justice and humanity to be any longer persisted in, and that her boy may be restored to the arms of his widowed mother."

130. She further observed—"In the statement furnished by her mother† she was necessitated to withhold the names of her witnesses, and other evidence, in support of her assertions, because of the powerful influence of her opponents, until arrangements were made by your Government and Resident for insuring a free inquiry into her case; her opponents being possessed of immense wealth, which they can lay out as they like, and as almost all the people who have any connexion in this matter are under pecuniary obligations to the bank, it would tend to ruin them were their names revealed in this stage of the affair."

131. If such were the improbabilities of her receiving justice from a punchayet partly nominated by herself, what must they not have been from the court appointed by the Durbar?

132. In allusion to the story of the kolie's child, Joitabaee with much truth asked why, if the story had been true, was there any necessity for dragging the child off in the way it was? Why was not the matter brought to the Resident's notice, and subjected to his investigation? Such a course, she observed, was not adopted simply because it did not suit the purpose of Baba Nafra.

133. The above petition, dated Baroda, the 27th of June 1849, was on the 23d July returned by Government to Captain French, with instructions to that officer

* These jewels belong to your petitioner, and were taken by Baba Nafra on loan from her, to adorn his daughter; they are of considerable amount, and have not yet been returned.

† Alluding to Larbaee's examination before the first punchayet.

officer to refer Joitabaee "to the orders of Government already issued in her case;" that is, to inform her that Government declined to interfere in her behalf.

134. Soon after this date it became known that I contemplated an early return to India, and it therefore became a great object with Baba Nafra to get Joitabaee's person once more within his clutches, and so prevent her going to Bombay to meet me on my arrival, and inducing me to take up her case at the Presidency. He apparently got Nursoo Punt to mislead Captain French once more; for on the 12th of January that officer ordered Joitabaee to return to the banking-house; that is, to place herself once more in Baba Nafra's power. The next day Captain French left Baroda to accompany the Guicowar on his visit to Bombay. Joitabaee declined acceding to the suicidal course recommended by the acting Resident, and preferred proceeding to Bombay to join her mother, who was there alarmingly ill, and to prosecute her suit at the Presidency. On the 10th of February 1850 she reported her intended departure to Lieutenant Battye, and on the next day she left Baroda. What petitions she may have presented to Government while in Bombay I knew not; but soon after my return to Baroda I received, on the 21st May 1850, a petition from her for transmission to Government, which, in ignorance of a Government notification published in my absence, prohibiting petitions being addressed to them direct, I returned, considering myself precluded from entertaining the petition by the reiterated orders of Government, which had been recorded in my absence. In returning the document to the petitioner, on the 24th May, I assigned the following reasons: "Why the unusual course of sending this petition from Bombay (for transmittal to the Right honourable the Governor in Council at Bombay), through the Resident at Baroda, has been adopted, Lieutenant-colonel Outram is at a loss to understand, but as it appears that the Government of Bombay has declined to enter into the petitioner's case, unless under certain conditions, which have not been complied with, the Resident cannot render himself the channel for forwarding the petition to Government, and therefore returns it and its duplicate accompaniment."

App. (A.), No. 39.

135. On the 1st of June Joitabaee re-transmitted the petition to me, drawing my attention to the notification in question, and asked me to explain what I had meant when I said that she refused compliance with the demands of Captain French. She thus wrote: "With reference to the second point, I respectfully request to be informed of the particulars of the conditions which I have not complied with, and in what respect I did not attend to them, more especially as I feel that, as far as it was in my power, I did not in the least disregard the instructions that were issued to me, but have every reason to believe that persons who professed to be my friends wilfully kept many facts concealed from my knowledge; and I should therefore esteem it a great favour to be furnished with a copy of such conditions, when I hope to be able to prove to your satisfaction that I have as far as practicable complied with such orders."

136. Her petition I forwarded to Government on the 8th June, and on the same day I wrote as follows to the lady: "Lieutenant-colonel Outram, in reply to the second para. of Joitabaee Settanee's letter, has the honour to inform her that the late officiating Resident no doubt intimated to her, and to the other party in the dispute, as directed to do by Government under date the 18th December last, that they should agree to a settlement by punchayet, each party appointing two members, and conjointly a fifth, or Sir Punch, giving under their hand and seal a written agreement to abide by the decision. Joitabaee Settanee having refused to consent to the arbitration of the dispute by a punchayet, the officiating Resident was directed to inform her, under date the 21st May 1849, that Government declines to interfere further in her behalf."

137. In reply, I received on the 24th of June a letter from Joitabaee (dated 18th of that month), the allegations of which, if true, showed that, in describing her as refusing to submit her case to arbitration, Captain French had hardly done her justice. Other pressing duties had so occupied me since my return to Baroda, that I had not had time to enter into any careful examination of the correspondence that had taken place during my absence, beyond what I saw on the English records, the correctness of which, of course, I never doubted. I was therefore unaware of the peculiar way in which Joitabaee's petitions had been treated;

treated; and 18 months absence, during which my attention had been directed to widely different matters, had caused many of the facts and features of the case to be effaced from my mind. The determination of Government, already three times recorded, not further to interfere in Joitabaee's behalf, with the Honourable Court's acquiescence in that decision, seemed to me to have effectually closed the matter. But the letter of Joitabaee, and cursory glance at the documents referring to her then in the office, led me to hope that Government might still permit her to submit to the arbitration, on her alleged non-acquiescence, in which was founded the refusal of Government further to interfere on her behalf. And if such arbitration were still open to her, I trusted to my influence securing a Sir Punch, who should not be entirely a creature of Baba Nafra, and yet one to whom neither party could object; even a decision hostile to Joitabaee could not make her position worse or more helpless than it was; and I was not without hopes that by keeping a sharp eye on the punchayet, and from time to time exercising my legitimate influence, I might secure for Joitabaee, if not justice, at least a mitigation of any gross injustice, of which, as the inquiry proceeded, she might seem to be the victim.

138. I therefore, on the 24th June, when handing up Joitabaee's letter of the 18th, thus expressed myself:

"As the voluminous correspondence on this subject, submitted by the late acting Resident, is before Government, any remarks from me would be superfluous, beyond expressing my opinion, that although it is possible, and I think very probable, that the petitioner has received foul play at the hands of that notorious individual Baba Nafra, the mooneem goomashta of the firm of Hurree Bhugtee, I see no possibility of a dispute of this nature being adjusted excepting through the medium of arbitrators, as suggested by Captain French."

139. On the day I penned these words, the Secretary to Government directed me once more to tell Joitabaee that Government declined interfering further in her behalf; and ere any reply had been made to the letter from which the above passage is extracted, the providential occurrence of a quarrel between Baba Nafra and his associates in crime gave an unexpected turn to the case, and led to the elucidation of the foul conspiracy of which Joitabaee Settanee had so long been the victim.

140. The circumstances by which the Baba's guilt was brought to light I shall speedily detail; but, to preserve the continuity of my narrative, I shall merely, in this place, mention that on the 11th of July I reported to Government the arrest of Baba Nafra, on suspicion of the double crime of abduction and murder. I intimated that the former of these offences had been established against him; and I requested that Joitabaee might be directed to repair to Baroda. In another communication, despatched the same day, I further reported certain proceedings in reference to an attempt on the part of Baba Nafra to bribe my native agent.

141. On the 19th of July, Government acknowledged the letter written by me on the 24th of June, in which, little dreaming of the revelations about to be made, I had suggested that Joitabaee should be still allowed an opportunity of having her affairs settled by arbitration. In acknowledging that letter, Government directed its Secretary to write as follows:

"In reply, I am desired to state, that as his Lordship in Council is informed that Baba Nafra is under arrest, and has been detected in tampering with your native agent, his Lordship in Council will defer, until the receipt of your report on its subject, the consideration of Joitabaee's case."

142. As the same post that had conveyed to his Lordship in Council the intelligence of Baba Nafra having been detected in tampering with my native agent, had made it known to Government that the far heavier charges of abduction and murder were pending against the Baba, it was a matter of regret to me, at the time, that my request to have Joitabaee sent to Baroda was left unnoticed.

143. On the 29th of July, however, Government replied to my letter of the 11th; after announcing that Joitabaee had been directed to come to Baroda, the Secretary proceeded, "With reference to the suspicions which Joitabaee's conduct in declining the method of inquiry approved of by the Government gave rise to, I am desired to state that his Lordship in Council relies on you for the good treatment of the parties pending any investigation that may take place."

144. The meaning of this I did not exactly understand at the time, nor do I yet fully comprehend it. It seemed to plead rather for the display of gentleness towards Baba Nafra than for the considerate treatment of Joitabaee.

That lady's reiterated representations of the cruelty and hardship to which she was subjected, had received no favourable notice, even before she had been represented as "declining the method of inquiry approved by Government;" and as the alleged (though erroneously alleged) declinature did not seem to be quoted as a circumstance increasing her claims to considerate treatment, I conceived my instructions to indicate the propriety of my insisting that Baba Nafra should experience more distinction and tenderness than any other suspected criminal similarly situated.

145. When the undisguised preference shown to the Baba by the Durbar is taken into consideration, a preference of which, as the foregoing remarks show, Government must have been fully as well aware as myself; and when it is remembered that the Baba was a prisoner of the Durbar, though at my instance, it is clear that had I been base enough to wish it, there was little fear of excessive severity being practised on this great offender. This I state in defence of my own conduct in having taken no steps, notwithstanding the letter of Government, to secure for the Baba any particular consideration or tenderness of treatment.

146. To have removed his arrest would have been not only to increase his power of evil doing, at the very moment when every sentiment of humanity and justice demanded that this power should be limited; but it would have tended to strengthen the belief, here almost universally prevalent, that the Baba enjoyed the secret friendship of influential persons at Bombay. That belief, as it was, operated most mischievously during my subsequent inquiries, and to this moment it is patent in frustrating many of the collateral investigations, which a regard for the honour of my Government prompts me to institute. It is a matter of general belief at Baroda that I have shipwrecked my own hopes of further preferment, and have given deep and lasting offence to Government and its Secretaries, by my proceedings against Baba Nafra and similar characters, and it can be readily conceived that such a belief tends seriously to embarrass me, and greatly diminishes my means of usefulness.

147. But though I saw no reason to interfere on behalf of Baba Nafra, in compliance with what I conceived to be the meaning of the Government letter of the 19th of July, I nevertheless so far adhered to the spirit of my instructions as to take no steps for having the Baba kept in closer custody. And it remains to me to the present hour a matter of doubt whether by this forbearance I did not culpably tend to prejudice the interests of Government. For the Baba was allowed too much intercourse with his friends, and thus had it in his power to frustrate several of my investigations.

148. I have now brought up the historical narrative of Joitabaee's case to the close of the Government letter of the 29th July 1850, and having done so, I think it unnecessary to give increased bulk to my report, by analyzing the remainder of the correspondence which will be found at length in Appendix (E.). It is not unimportant, however, to observe, that this correspondence established the fact, that Baba Nafra had been guilty of obtaining the signature of the elder widow of his late master to petitions the scope of which was very different from what he told her it was; and that the fraud had been practised with the double object of damaging a former servant of Government, called Veenaik Moreshwer Furkey (*alias* Baba Furkey), and conveying charges against the lady's sister-in-law, the Settanee Joitabaee.

Appendix (E.)

149. The elder widow, I may here observe, continues to adhere to the declaration that Baba Nafra made an unauthorized and unjustifiable use of her name; and she solemnly avers, that though for some time after the death of her husband she resided in the same apartment as Joitabaee, and had constant opportunities of judging of that lady's condition, she never doubted, nor had reason to doubt (as alleged in the petitions professing to be hers), the reality of the pregnancy of the younger widow. She either says what is true or what is false. If she says what is true, the crime of forgery committed on a widow whose trustee and guardian he was, is established against Baba Nafra. If what she says is false, if she

she really disbelieved the reality of Joitabaee's pregnancy as alleged in the petitions transmitted in her name, it is clear that she whose own interests, as well as those of her son, were being sacrificed, must have only been prevented from immediately denouncing the fraud, and calling for an investigation by some powerful intimidatory agency. And no human being of ordinary intellect and of ordinary honesty can suppose that the intimidating agent could possibly have been other than Baba Nafra. In other words, on either hypothesis Baba Nafra stands convicted of having been guilty of the grossest treachery to the elder widow of his late master. He must either have fabricated mendacious petitions in her name, or he must have not only consented to a foul fraud deigned to injure herself and her orphan son, but have intimidated her against complaining of that fraud; for no complaint was ever made in her name till after the appearance of the kolies, whose advent had been preceded by misunderstandings between Joitabaee and Baba Nafra.

PART III.—*The Revelations made to me at the Residency, with the Investigations to which they led.*

1. Before proceeding to detail the revelations made to me at the Residency, to which reference was made in the preceding section, it is necessary that I should so far summarise the contents of that section as will enable me to state exactly how matters stood prior to the revelations spoken of being vouchsafed to me.

2. Since the year 1847, that is for upwards of three years, Joitabaee Settanee and her mother had been importuning the British Government to inquire into the truth of certain allegations made by them. These allegations were to the effect, that Baba Nafra had suborned false witnesses to swear that the child hitherto reputed to be Joitabaee's son had been purchased from certain kolies, and that, under this plea, he had abstracted the infant, placed herself and her father under a prolonged and rigorous confinement, subjected her to much personal indignity, defamed her character, and reduced her to destitution.

3. The complaints and statements both of Joitabaee and her mother were from first to last uniform and self-consistent; and they were more than uniform and self-consistent—they bore many marks of verisimilitude.

4. That the child reputed to be hers was carried off at the instance of Baba Nafra—that Joitabaee and her father had been placed under a prolonged and rigorous confinement—that she herself had been subjected to much personal indignity, her character vilified, and all participation in the property of her husband withheld from her,—were facts which no one had ever attempted to deny. The only justification of these facts attempted by Baba Nafra was founded on certain depositions, which tended to show that Joitabaee had never borne a child, and that the boy whom she had passed off as her son had been purchased from certain kolies. Joitabaee and her father complained that the witnesses whose depositions tended to establish this point had perjured themselves, and that they had been suborned to do so by Baba Nafra. The presumptions were undoubtedly in favour of the complaints and assertions of Joitabaee and her mother.

5. As was well known both to the Bombay Government and the local officers, Baba Nafra was a most unprincipled man; and it was a fact notorious to the whole of Baroda, and a fact which Captain French and Mr. Andrews had officially recorded, that if Joitabaee had really been guilty of the fraud attributed to her by Baba Nafra, she could not have perfected it without the collusion of that individual. In other words, not only was the individual against whom Joitabaee complained a man of notoriously bad character, but he stood practically self-accused of a conspiracy to defraud the elder widow and the infant son of his late master, having so strong a moral resemblance to the conspiracy which the younger widow laid to his charge, as to render it probable that he would not shrink from engaging in such a conspiracy if supplied with an inducement. And precisely such an inducement as might be supposed to operate on a man of Baba Nafra's moral character was distinctly alleged by his accusers to have influenced him. They assigned as the motives which had induced the Baba to conspire against the younger widow and son of his late master the instincts of revenge and rapacity, exasperated by Joitabaee's spirited conduct in resisting and

appealing against the unwarrantable liberties he was taking with the property of her late husband—property in which she had herself a double interest, as her late husband's widow, and as the mother of his posthumous son. It was not the fault but the misfortune of Joitabaee, that Captain French damned her cause without taking the trouble to investigate it; that he never thought it worth his while to inquire whether the circumstances alleged by Joitabaee and her mother, as having excited the Baba's instincts of rapacity and revenge, had really occurred. But in estimating the moral standing of her case prior to its investigation at my instance, it is only just to recount that the circumstances had occurred precisely as detailed by Joitabaee and her mother. The Baba had taken liberties with her late husband's property which she deemed unwarrantable; these liberties Joitabaee had resisted; and further, she had petitioned the Durbar, to the effect that Baba Nafra should be called on to render an account of his stewardship. By removing her, and disinheriting her son, not only would the Baba amply revenge himself on the lady who had dared to resist his power, and who had publicly called his honesty in question, but his rapacity would have unlimited scope and uncontrolled enjoyment. The other widow had been officially pronounced imbecile by Captain French, and it is a notorious fact that she was a mere passive tool in Baba Nafra's hands; while the sickly frame and weak intellect of her boy gave promise that he would fall readily under the thraldom of the man who was mismanaging the affairs of the bank, and misappropriating its treasures.

6. Thus, not only was Baba Nafra a man of notorious bad character, and one who stood practically self-accused of a conspiracy against the elder widow and son of his late master, bearing a strong moral resemblance to that which he was charged with organizing against the younger widow and son; but before one word was uttered against either of the latter, circumstances had arisen which rendered it a matter of vital importance to him that these events should occur which it was the scope of the alleged conspiracy to effect, that Joitabaee should be driven from the Bank, and her child disinherited; not until these circumstances had arisen had the pregnancy and delivery of Joitabaee been called in question by those whose interests were compromised by the birth of her son; not till these circumstances had arisen had any one called in question the paternity of a boy, whose birth, naming, and betrothal had been celebrated with pomp, and under the sanction and patronage of Royalty; who can say that these facts did not of themselves afford presumptions in favour of Joitabaee's allegation, that the witnesses brought against her were witnesses suborned by Baba Nafra in the prosecution of a foul conspiracy against herself and her infant son.

7. But the presumptions in favour of the allegations of Joitabaee and her mother did not end here. If the evidence against the former was so clear and trustworthy, why was she not at once brought to trial, her fraud exposed, and the interests of justice vindicated? Why, in violation of every principle of decency and justice, did the trustee constitute himself the denouncer, prosecutor, and gaoler of his own mistress? Why was she not only made a prisoner in her own house, but subject to a confinement more rigorous, and to indignities more galling than would have been practised on her in her Sovereign's prison, had she been convicted of those offences with which as yet she had been but charged? Why did the punchayet, composed of personal friends of Baba Nafra, not hasten to lay before the Resident the evidence which, if satisfactory, would have ever shut the door of appeal against Joitabaee? Wherefore all the delays, quibbles, evasions, and falsehoods by which the punchayet endeavoured to prevent the case coming in appeal before the British officials? Why did they pretend that their inquiries were checked by Larbaee's refusal to give evidence.* If the child were the child of the Umliara Kolies, why was it not at

* The frivolous and dishonest nature of this plea for withholding their proceeding, and thus preventing the case going in appeal to the Residency, is rendered sufficiently manifest by the proceedings of the last punchayet. That body, composed in part of the same members as the first one, coolly throw overboard Larbaee's evidence, on the ground that, as the mother of Joitabaee, her testimony is inadmissible; and the same upright body, when trying Baba Nafra on charges which, if proved, would have involved him in imprisonment for life, quietly appeal to his own assertions as most respectable and adequate testimony.

at once given to its parents? Why was it sent under Arab custodiers to an empty house, its alleged mother being only called in three times a day to feed it? All these, and many other facts which it is not necessary to enumerate, make out such a case in favour of Joitabaee's allegations, as to justify strong suspicions against the testimony adduced to her disadvantage; suspicions, the complete removal of which, of justice, devolved on her assailants. But, far from removing these suspicions, the very testimony brought against Joitabaee was itself suspicious. Had she been guilty of the fraud attributed to her, was it not violently improbable that she would have failed in fulfilling her bargain with the kolies? And was it not violently improbable that she, who had purchased a child with the fraudulent intent of acquiring and maintaining enormous wealth, would have withheld the small stipulated reward, knowing that she was completely in the power of the kolies? If she had committed the fraud referred to, was it likely that she would have dared to quarrel with, resist, and appeal against the unscrupulous man without whose collusion the fraud could not have been perpetrated—as was notorious to all at Baroda, and as had been officially reported by Mr. Andrews and Captain French?

8. I might cover many sheets with an enumeration of the *à priori* improbabilities attending the charges against Joitabaee, and of the *à priori* presumptions in favour of that lady's allegations; but it is unnecessary. I have said enough to show that the presumptions in her favour were strong and well defined.

9. But, in spite of these presumptions, the Bombay Government, acting on Captain French's reports, refused her that impartial and candid inquiry into her allegations which was all she had ever asked for. The Court of Directors, misled by Captain French's bold but completely erroneous assertions, endorsed the acts of Government, and thus, so far as human vision reached, that power to whose protection Joitabaee was entitled had closed the door of hope on her for ever, and consigned her to infamy and destitution. Baba Nafra's triumph had been complete; not only had his nefarious schemes against the widow and orphan of his late master prospered to the utmost of his ambition; not only had he now unlimited power over the enormous wealth of the house of Hurree Bhugtee; not only did he think himself strong in the secret friendship which he flattered himself he enjoyed on the part of Mr. Reid and others; but he had actually found himself once more admitted to the Residency as a welcome visitor, by an officer who had but a few days previously officially expressed his conviction that he was an accomplished scoundrel. If ever "Khutput" possessed paramount efficacy in the eyes of the natives of Baroda, it must have been when they beheld these triumphs of Baba Nafra. If ever there was a woman whom they thought ruined beyond the hope of redemption, that woman was Joitabaee; these vainly appealing to a Government whose answer to all her petitions was, from us you shall get neither countenance nor aid.

10. But the widow was not deserted by that gracious Providence who had seen fit to subject her to these sad trials and sufferings.

11. I have alluded in para. 98 of the previous section to certain revelations made to me at the Residency; and I now proceed to narrate them.

12. On the 2d of July 1850, I was waited on by a person who represented himself as the relative of three goomashtas, who had been employed in the firm of Hurree Bhugtee, but whom Baba Nafra had for some time subjected to a close confinement. The following extract from their petition will best explain its purport;

"The whole of the affairs appertaining to our late master's shop Baba Nafra had the charge of, and according to his (the Baba's) orders, we the goomashtas, &c., performed all the business, regarding which on some occasions our late master's widow, with reference to the management of the firm, might have interrogated us; when, however, owing to the fear we entertained of coming under Baba Nafra's displeasure, we withheld all information from her, although we considered the settanee as our mistress, supportress, and parent, she having sought from us information regarding the affairs of the firm, which we having omitted to furnish, we are guilty before the Almighty of a great sin; but Baba Nafra, Bhow Tambekur and the other carbarees being of one mind and opinion, therefore

therefore we remained quiet; yet at the time the Sirkar proceeded to Bombay, Baba Nafra having consulted with the carbarees, brought sepoys from our late master's firm, and placed them as sentries upon our house, incarcerated us, and placed locks upon the doors of our houses, and in various other ways greatly inconvenienced us; after which, as appeared best to accord with his personal interest, he wrote out depositions in our names, which he forced us to sign, and which, having no alternative, we were induced to sign. After which we petitioned the Guicowar Sirkar, but Baba Nafra caused no notice to be taken of our petition, and, by his influence with Bhow Tambakur, got us, without being guilty of any crime, confined in the Government chubootra. * * * Up to the present time have we been compelled to undergo much misery, yet did not petition the Sahib; the reason thereof is, that our houses, families, assets, &c., are situated in the Guicowar territories, and the Resident's late karbaree (Nursoo Punt) was also attached to Baba Nafra, and is also the Baba's relative; therefore, under one or other plea, the above parties would have ruined us. Entertaining such fears, we submitted to the miseries we were loaded with up to the present time; but now, being unable to suffer further misery, and seeing the ruin of our master's family, and from the above conspirator's gang, your karbaree having also become separated (alluding to the late native agent having been transferred to Ahmedabad), we present this petition, and trust to the Resident taking it into consideration, with the precaution to keep the contents of this petition secret; will cause the whole of us to be liberated from our present imprisonment, upon which, all the further particulars connected with the case which we intend to disclose, we will submit for the sahib's information."

13. After reading this petition, I addressed a yad to the Guicowar, requesting that he would, on the following day, send the petitioners to the Residency. They were sent, and their deposition was taken by Mr. Battye. Joitabaee, they said, was in Bombay, and Mhaluxmeebaee, the elder widow, kept under such strict surveillance and control by Baba Nafra that she could not come to the Residency to complain. But, they added, should both those "Baees be called before the sahib, the whole transaction will be explained by them; but Baba Nafra entertains great and certain fear, that if he should permit the whole of the parties to become united, then the son of Joitabaee, whom he had in the first instance admitted as the true son (and who was actually the true son), and subsequently pronounced to be spurious; and further, his having ruined the affairs of the firm, and caused the disunion of the two widows, and dissensions amongst them, would be brought to light; therefore he, after having first imprisoned us himself, then caused us to be incarcerated by the Guicowar Sirkar. The younger Settanee and Joitabaee has proceeded to Bombay, and the elder Settanee, Mahaluxmeebaee, is placed under surveillance by Baba Nafra; therefore, at present, if the Sirkar will take up the case, and institute an investigation regarding Baba Nafra having made out the true son as spurious, we are all willing to prove this charge against Baba Nafra; but when the Baba is placed in imprisonment, and it becomes known to the people that the Baba is shorn of his influence, then we shall be enabled to produce proofs to establish the above charges. The above is all that we have to say upon this head."

App. (B.), No. 26.
App. (F.), No. 2.

14. After making their depositions before Mr. Battye, the men were brought to myself. I elicited from them that the child was dead, and that its death had occurred in so sudden and mysterious a manner as to justify grave suspicion of foul play. They implored, however, that I would not record or transmit to the Durbar the information given by them till they were assured of adequate protection against the power and malice of Baba Nafra; and they entreated me to give them a guarantee that they should not be proceeded against in respect of the part they had taken in the Baba's nefarious conspiracy. The first request I acceded to; the second I so far complied with as to promise that I would solicit the Guicowar to grant them a full pardon for their complicity with Baba Nafra's proceedings, provided they told me the entire and simple truth. Without such a promise, it would have been obviously unjust to allow these men to criminate themselves; and without their evidence, there was no hope of the truth being fathomed. It was, moreover, evident that, however deeply they might be implicated in the criminal acts of Baba Nafra, they were but the aiders and abettors of schemes of which he was the deviser and director. They had been the servants

App. (F.), No. 3.

servants of a master who tolerated no remonstrance and forgave no disobedience; they had been placed in a position where to hint a doubt as to the propriety of their master's plans, or to hesitate dislike to any duty proposed to them, would have been to invoke instant and irreparable ruin on themselves and their families, as was proved by the treatment received by all the subordinates of the bank who were suspected of being touched with pity for Joitabaee's unmerited sufferings; and although, morally considered, their conduct was indefensible, still there were grounds for hoping that they had repented of the share they had taken in Baba Nafra's proceedings long ere the date of their visit to the Residency, and that, as they themselves alleged, they had only been deterred from making an earlier disclosure by their overwhelming dread of Baba Nafra's vengeance, aided, as they knew that individual would be, by the late native agent, Nursoo Punt. That such was the case, and that Baba Nafra well knew such to be the case, may, I think, be legitimately inferred from the confinement to which they had been subjected by the Baba prior to the extortion from them of depositions to the detriment of Joitabaee, as well as from the fact that no sooner had the Guicowar resolved on visiting Bombay, where I then was expected, than these men, who might have conveyed information to Joitabaee, which, if communicated to me, would have enabled me to urge the widow's cause both to his Highness and the Government, were, under a frivolous pretext, committed to the close confinement of a Durbar prison. Be this, however, as it may, in holding out the expectation of a pardon to the deponents, I was only acting on an acknowledged principle of judicial procedure.

Vide App. (A.)

15. The nature of the statements made by these men not only authorized me to seek a re-investigation of Joitabaee's affairs, but rendered such a step imperative; and, under the circumstances of the case, I felt myself entitled to hold a preliminary investigation at the Residency, prior to subjecting the accused party to a formal trial by the Durbar. I therefore applied to his Highness the Guicowar to send me the various witnesses I required from Amleara, and, in sending back the deponents, transmitted the following yad to his Highness:

"I send back the three gomashtas, named Lulloo Bhugwan, Baeejee Gella, and Bhugwan Bhowanee, whom your Highness sent to the Residency in accordance with the request contained in my yad of yesterday's date. From what these persons represent, it is evident that they have suffered much oppression from Baba Nafra, the mooneem goomashta of Hurree Bhugtee's firm; which circumstance, as it possesses the Bhandry of the British Government, it will be necessary for me to investigate, after your Highness has been satisfied of the serious nature of the grounds of accusation against the said Baba Nafra, which I shall hereafter make known to you. In the meantime, I have to request that your Highness will not permit these persons again to be placed in the power of Baba Nafra, who has held them in close confinement for a period of four months, during which period they represent they have been subjected to great hardship; also that your Highness will have the goodness to cause three other persons (named so-and-so), who likewise have been detained in confinement, to be set at liberty pending the inquiry which I am about to institute. In the meantime a peon from the Residency will, with any others whom your Highness may please to order for the same duty, remain in surveillance over these people; and I trust to your Highness also to cause measures to be taken for the release of Mahaluxmeebaee, the elder widow of the late head of that firm, from the restraint under which it has been deposed. She also is held by the said goomashta, Baba Nafra.

"I have the honour to inform your Highness that the charge against Baba Nafra, being of so serious a nature as that of murder, it is necessary that individual should be placed in confinement until the case has been investigated, and that prompt measures be adopted to prevent his having any access to the books, or to the property of the firm; which I beg your Highness will direct to be sealed up and kept in safe deposit until the inquiry has been completed."

16. On the 5th of July the deponents again made their appearance at the Residency, and again begged that, before being called on to make individual depositions, they might have a guarantee that they were not involving themselves in the penalties due to complicity in Baba Nafra's crimes. I repeated my assurance that I would use my interest with his Highness to obtain for them a free pardon, on the condition previously stated. In the meantime, as I had not

had the opportunity of communicating with his Highness on the subject, I
App. (F.), No. 3. agreed to take from them a conjoint deposition. This deposition, dictated to my carcoon, in my presence, by Lulloo Bhugwan, was orally confirmed by the others; and, next day, having obtained from the Guicowar a promise of pardon for the deponents, I sent for another of them (Bhugwan Bhowanee), and examined him separately touching his individual concern in the Joitabaee trans-
App. (F.), No. 4. actions. His statement was given in a clear, unhesitating manner, which tended to impress me favourably as to his trustworthiness. It was not only consistent with the statement of Lulloo, in respect of those transactions in which they had acted together, but both it and Bhugwan's deposition confirmed the statements so frequently made by Joitabaee and her mother.

17. The witnesses required by me from the Guicowar territory were furnishe in due course. Not so, however, those witnesses who were British subjects. It was not till the 14th of August that the latter attended. Two of them did not appear at all. One was reported dead, and the other, the most important of all, viz., the kolie who represented himself as having sold the child, to this day has avoided me.

18. My first requisition on the Kaira magistrate was dated the 6th July. Again I wrote on the 13th, and a third time on the 22d, on which occasion I stated, "As I have reason to know that, up to the day before yesterday, no order had reached Meitapoor, to direct the attendance of the said witnesses, and as I am aware that the komavisdar of Nurriad is related to one of the parties * (Nursoo Punt) most interested in smothering the investigation now in progress, I take the liberty to inform you of the circumstance, on the supposition that your orders consequent on my requisition have been purposely delayed or evaded by your subordinate for the purpose of defeating justice." Mr. Prendergast wrote in reply, dated 26th, "I beg to express my regret that such delay should have occurred in sending the witnesses called for by you; but it has arisen from the circumstance of my sheristedar having neglected to obtain my signature to the order to the Nurriad mamlutdar to forward the witnesses, and not to any neglect on the part of the mamlutdar. The order was signed and despatched on the 17th instant." Again, on the 31st July, I thus addressed that gentleman: "In that case I am afraid suspicions must attach to your sheristedar, who must have received my first requisition on the 8th instant. And I hope you may think proper to sift the cause for his delaying to obtain your signature till the 17th; for the influences at work to delay the investigation; for the prosecution of which those witnesses were required may have been exerted as easily with your sheristedar as with your mamlutdar at Nurriad; and I beg to observe, that the latter likewise can hardly be exonerated from the blame of neglect, seeing that your order was sent to him on the 17th, and the witnesses have not yet made their appearance."

19. The examination of these several witnesses extended from the 5th of July to the 15th of August; and it must, I think, be allowed that the tale unfolded by their depositions possessed every tract of verisimilitude. It was clear and explicit, self-consistent, and consistent as well with Joitabaee's reiterated statements as with the anterior probabilities of the case, and with facts regarding which no doubt had or could have been entertained.

20. The tale was this. Baba Nafra, having quarrelled with the younger widow of his late master, and being desirous of ruining her, and disinheriting her son, deputed his then intimate friend, Lulloo Bhugwan, to procure false parents for the son of Joitabaee; "he proceeded to Meitapoor, a British village in the Nuriad pergunnah for this purpose, and effected his object through the intervention of thakoors Jeithawa of Jessapoor, and Amersing, of Meetapoore. A kolie named Rugoonath, and his wife, having agreed to represent the parents, and kolie Goman to pass himself off as the uncle of Joitabaee's son.

21. Lulloo brought these people to Baroda, secreted them in a garden belonging to Baba Nafra, and, to prevent any of the townpeople having access to them, placed

* I afterwards ascertained that the man in question was not related to Nursoo Punt, though of the same caste, and entirely in his interests, having been got into the service and advanced to his Highness' post through Nursoo Punt's influence.

placed them under the care of some Arab guards, mercenaries in the pay of the bank; in other words, in the Baba's own pay.

22. After they had remained under Arab surveillance for about seven days, Baba Nafra visited them, taking with him "a false deed, purporting to be an account of the purchase of the child, in the name of Bhugtee Kandass (Bhanabhaee), promising to pay annually 200 rupees, so long as the firm was in being." This deed was written by Lulloo's son, Munsook, at the dictation of Baba Nafra, and the signature of Bhanabaee was forged by Mohunlall, the Baba's private goomashta. The question of the remuneration having been settled, they received their instructions. In obedience to these, they proceeded to the house of Bhanabaee, and demanded that the bond should be implemented, or their child restored. Bhanabaee indignantly abused them, as had been expected. In conformity with their orders, they raised a disturbance, proclaimed their story to the assembled crowd, and, proceeding to the bank, they produced the false deed, and demanded the fulfilment of its terms. Baba Nafra formally took down the depositions, paid them 100 rupees, the balance professing to be due to them, and dismissed them to their houses, after receiving back the bond.

23. That the said bond was received back by Baba Nafra admits of no doubt, as it was produced by himself before the punchayet; and surely no other evidence of the conspiracy could be required by any candid person than this, that the kolies who came to demand the fulfilment of a bond, guaranteeing 200 rupees a year "while the bank lasted," or, as an alternative, the restoration of their child, would have quietly resigned the bond after receiving 100 rupees, without obtaining or making any further demands for the child.

24. As to the foregoing particulars, a perfect consistency exists between every one of the deponents, save Bharate Purtub, who is represented to have paved the way for Lulloo Bhugwan's visit to Meetapoor. This man alone, of all those directly concerned in the Meetapoor affair, adheres to his previous statement; but the nature of the connexion existing between Baba Nafra and this individual may be gathered from the Baba's own admissions. That worthy, when explaining his accounts,* states, that of the 500 rupees shown in the books to have been paid to the Bhurate on the 6th and 11th January 1848, 400 were given as an act of charity, and 100 rupees as a loan. It will be remembered that at the date specified, the first punchayet were engaged in their pretended investigations, and for a year prior to these dates, that is, since the period he was said to have paved the way for Lulloo's visit to Meetapoor; the Bhurate had been supported by Baba Nafra, as he continued to be up to the date of my investigations. Under these circumstances, I think the most punctilious judge would not attend much to this man's statements, opposed as they are by the consistent testimony of so many others.

25. The remuneration for their services, acknowledged by the khole actors in the scenes above detailed, was as follows:—

	Rs.
Thakoor Jeitbaee - - - - - -	100
Ditto Umersing - - - - - -	100
Colie Rugunath and his wife - - - -	100
Colie Guman - - - - - - -	25
Jeebawa and Rungjee (each 25) - - -	50
Rs.	375

But both Bugwan and Lulloo represent that 1,700 rupees were agreed on as the reward of their united services; but that afterwards "from time to time one of these kolies used to come to Baba Nafra for the purpose of getting money from him; and as each of these kolies used to come to the Baba to demand money, Baba used to satisfy and despatch them, consequently the amount stipulated with the kolies, viz., 1,700 rupees, was completely lost sight of, and they received instead some two or two and a half thousand."

26. The

* *Vide* separate report on the defalcations from the funds of the firm.

26. The parties concerned in the Meetapoor affair would not unnaturally strive to give the lowest figure to the bribes they had received, in dread of being called on to refund. And however they were distributed, there can be little doubt that sums very much larger than those made known to Bhugwan and Lulloo were disbursed by Baba Nafra.

App. (H.), No. 93. App.(H.),No 100.

27. That individual, though he did not in his deposition given in 1847 allow that any had been expended at Meetapoor, when cross-examined in 1850, as to certain items of expenditure in the bank books either erased or without names, which I had discovered in these documents, deposed in preference to one of the blank items that Lulloo Bhugwan had informed him that a "clue to the boy's parents was found, but that 15,000 rupees will be required to be expended to effect the consummation of the case;" again, "upon this I paid them (the Meetapoor coolies) 200 or thereabouts, took the writing back, and also an acquittance from them. Lulloo Bhugwan took 15,000 rupees for the expenses, as entered on the books." *

28. How the difference between the 1,700 rupees and 375 rupees acknowledged by the kolies was disbursed, and in what proportions, I have not ascertained, nor is it a point the ascertainment of which is of much importance. But it is a very important fact that Baba admits large sums of money to have been given in tracing out the real parents of the child, which seems quite preposterous when viewed in relation to the alleged object of their expenditure, but such sums as might readily be believed to have been expended in carrying out the conspiracy with which the Baba stood charged. I repeat, that it is intrinsically irrational to suppose that an influential man like Baba Nafra, knowing that a child had been purchased in a certain village, should have required to expend such sums of money in tracing out the humble individuals who sold the child. And the absurdity of the explanation given of the expenditure of these sums becomes still more transparent, when we call to mind what was notorious to every one in Baroda, and what was reported to be thus notorious both by Mr. Andrews and Captain

* Besides this item marked as having been paid on the 24th April 1847, there is an item of 1,100 rupees debited as paid to Lulloo Bhugwan on the 16th April 1847. But, as Government are well aware, from the evidence adduced by me in my report on Mr. Andrews' case, no reliance is to be placed on the dates of the entries appearing in the books of the firm, antedating and postdating and concealing the recipients and depositors of money under fictitious names, and the names of Hindoo deities, being part of Baba Nafra's system of tactics. That these large sums would have been paid to a subordinate, like Lulloo Bhugwan, for his share in the transactions, is very improbable, and had it been entrusted to Lulloo for distribution he would, most probably, have declared the fact at his examination; I therefore incline to believe that the Baba himself distributed, or found some other agent for the distribution of the larger sums, being anxious not to put himself more than he could help in the power of Lulloo, whom it is clear he viewed with suspicion soon after the commencement of the plot. I subjoin Baba Nafra's self-condemnatory evidence on this point, given before the Durbar, on the 18th of August 1850.

Question. "Since Lulloo had found out the real parents from Metapoor, what made you give 15,000 rupees; did you then make proper inquiries about them?—*Answer.* Because Mahaluxmeebaee was very anxious to find out the real facts; Lulloo said he would never give correct information without giving him 15,000 rupees, and the parents who were found out belonged to the Company Sirkars Purgunnah. Had they been Guicowar subjects, inquiries would have been made at his Highness' consent. The money was paid upon Lullo's responsibility, for he said these people were the boy's legal parents."

"Did you ascertain from the Meetapoor Coolies who had come from Lulloo the legality of the boy's parents; and if so, in what manner?—I had no acquaintance with these Coolies; but Lulloo brought them, and said that they were the parents of the boy who was brought first, and after whose death another boy was brought from somebody; upon which I told Lulloo that the money would be paid on his proving all this before the Sirkar."

"Did you inquire and ascertain from any other person than Lulloo the legality of the parents of both Joitabaee's Amleeara and Meetapoor boys, or were you assured of it only by Lulloo? If you did make the inquiry, state in what manner it was made?—Lulloo assured me of the facts of the Meetapoor boy, with which he was acquainted; he knew nothing about the Amleeara boy's affairs."

"The money was agreed to be paid to Lulloo, on his proving everything before the Sirkar; state whether the payment was made before or after the fact was proved?—The money was paid after the fact of the Meetapoor boy was proved by the depositions taken before the Sirkar. I imagine so; but the chopras would elucidate this point more clearly."

I have only to say that the depositions referred to were taken, not "before the Sirkar," but at the firm, by Baba Nafra himself; and that both Mahaluxmeebaee (the elder widow) and her father utterly deny having had anything to do with the business; † and Lulloo Bhugwan, on being confronted with Baba Nafra on the day this deposition was taken, contradicts the Baba in every particular, and tells a very different story.

† *Vide* Nos. 24 and 42 of Appendix (F.), and yad from the Durbar, dated 30th January 1851, No. 32 (J.), with enclosure.

Captain French, viz., that if Joitabaee had been guilty of the fraud attributed to her, she could only have effected it by favour of Baba Nafra's collusion; in other words, that he must have known right well where to find the parents. And I may mention it is a circumstance possessing some significance that the sum of 100 rupees acknowledged to have been received by the kolies on restoring the bond is ostentatiously entered on the books. Why should not the larger amounts have been marked in the books with equal explicitness, had they been expended in searching out the "real parents" of the boy after so much publicity had been given to the alleged fraud—a fraud as fully recorded by the entry of "100 rupees paid to Rugoonath Kolie," as it could have been by an open entry of the larger sums?

29. The information given in the depositions of Lulloo Bhugwan and Bhugwan Bhowaney made me address a yad to his Highness, requesting that he would attach the papers of Baba Nafra, the account books of Hurree Bhugtee, and those of Narrain Row Runchore and Purshotum Runchore, nominally belonging to the Baba's sons, but in reality his own, and into which there is but too good reason to believe he was gradually transferring the wealth of the firm of which he was the manager. Had my request been properly complied with, I should doubtless have now been in a position to trace out the pecuniary history of his intrigues against Joitabaee. But treachery was at work to baffle my efforts, both in my own office and at the Durbar. I have reason to believe that immediate intimation of the intended seizure was transmitted to him by Narrain Row, one of my carcoons, and it is before me in deposition that that individual, disguised with a view of preventing recognition, was closeted with Baba Nafra the greater part of that night.

30. My yad was sent to the Durbar at 3 p.m. on the 3d of July; an answer was returned that my request would be complied with; but having received information on the 5th that the Baba, or his sons, still had access to the books and papers said to have been attached, I then sent my native agent to see what had been done. The Guicowar, who had on the receipt of my yad issued orders for immediate compliance with its request, demanded of the minister why these orders had been neglected. The minister threw the blame on Sumbooram, the kotwal, to whom the service of attaching the papers, &c. had been entrusted. On the 6th July I again addressed a yad to his Highness, requesting that the books, &c. might be sent for my inspection. On the 7th, as the books had not arrived up to 10 a.m., a second message was sent, another at noon, and a third in the afternoon, when a reply was received that Sumbooram had been sent to bring them from Hurree Bhugtee's. In the evening I sent the native agent to his Highness, who despatched an officer of the Durbar with him to Hurree Bhugtee to expedite Sumbooram's movements. On reaching the place, they found him, Baba Nafra, engaged in arranging his various papers, the officer sent to seize them sitting beside him with the utmost composure. The papers found were sealed up, and brought to the Residency; but though they contained memoranda throwing light on some of his corrupt practices, which he had not yet had time to search out and conceal, none scarcely were discovered bearing directly on the Joitabaee case. These had first claimed his attention, and he openly avows that he has his secret papers in safe concealment. Amongst the missing documents are the chopras in which Lulloo Bhugwan and Bhugwan Bhowanee deposed that the expenditure in the Meetapoor and Amleara affairs was recorded. During the time that elapsed between my first yad and the actual seizure of the documents, his confidential goomashtas had been industriously engaged in destroying papers, and erasing from the bank books such entries as were likely to tell against him; the ink on some of the erasures was hardly dry when the books reached the Residency; and amongst the items in this condition was a sum of 1,200 rupees supposed to have been given to Narrain Row. As the results of my examination of the accounts will be given in a separate report, I need not now enter on the subject.

31. Whether the rapacity of the Meetapoor Kolies caused Baba Nafra to dread placing the boy in their hands, lest when he ceased to meet their demands they might proclaim the child's legitimacy and expose the fraud to the British authorities; or whether, on second thoughts, it occurred to him, that should an investigation take place at the Residency, he could not implicitly rely on the integrity of these British subjects; or whether, as I incline to believe, he was

influenced by distrust of his accomplice Lulloo, and the knowledge that the caste had evinced symptoms of dissatisfaction with the evidence adduced by that man, and with the summary disposal of Joitabaee's case on that evidence; I cannot tell; but ere many days elapsed, a different parentage was found for the boy. With a view to facilitate this measure, he caused a report to be circulated to the effect, that when the Meetapoor coolies demanded their boy of Bhanabhaee, that individual informed them, that their child having died of small-pox, he had been under the necessity of purchasing another child in its place. And he sent for certain kolies of the village of Amleeara, a village within the Guicowar territory, but mortgaged by the bank, and therefore to all practical intents Baba Nafra's own property.

32. There is an inextricable confusion about the dates of these transactions, a confusion probably intentionally created by Baba Nafra, by whom the several depositions and documents were dictated. It is impossible, therefore, to determine when the idea of summoning the Amleara Kolies first suggested itself; but it appears that for several days after their arrival at Baroda they were kept in one of the Baba's garden-houses, till his arrangements could be perfected. The delay in perfecting them arose from the disinclination of one Dada Meeya, a havildar in the employment of the firm, to join in the conspiracy. This individual was placed in irons, and deprived of food till he agreed to depone as Baba Nafra desired, that is, till he agreed to depone that, at the instigation of Joitabaee's mother, he had purchased a child from the Amleeara Kolie Dullia, for 100 rupees; and brought him by night to the house of Joitabaee's parents. Having signed this deposition, and having thus, as Baba Nafra thought, committed himself beyond recall as his tool, he was released; he received 415 rupees, and was afterwards appointed by Baba Nafra to the office of havildar of the village of Goreyad, also an appanage of the firm. Nurbheyram Bhatia, who was employed to induce the havildar to depone according to the Baba's wishes, received 49 rupees, and a turban.

33. At first sight it may appear strange that Baba Nafra should have sought to carry out such a plot by unwilling agents, whose subsequent divulgence of the real facts of the case would have proved fatal to his schemes. But this seeming inconsistency admits of a ready explanation.

34. Relying on his enormous personal influence, on his immense pecuniary power and resources, and, above all, on his almost unlimited sway over the Durbar, he had little reason to dread that any Guicowar subject whom he had once succeeded in implicating as his confederate in serious criminal proceedings would turn traitor. The allegiance of the wretched Amleeara Kolies was secured at a cheap rate, by the power he possessed over them as the manager and virtual owner of the village in which they lived, and, therefore, as the object of all their hopes and fears. As regarded Dada Meya, a mere havildar of mercenaries, when once he had succeeded in alienating that individual from his former friends, and exhibiting him as their denouncer, he might, he thought, safely rely on his future fidelity, which was secured, as well by the man's natural fear of the punishment which would overtake him for the part he had taken in the conspiracy, should this be discovered, as by a personal dread of the wrath and vengeance of the all-powerful Brahmin, and by the direct interest he had in keeping on good terms with one who rewarded him liberally for his services, whose patronage would secure him against all foes, and whose displeasure would reduce him to destitution, and, if need be, to imprisonment. And the man on whose fidelity he thought he had these holds, was one whose participation had become absolutely necessary; for Joitabaee's caste had shown symptoms of dissatisfaction with the Meitapoor story, and it therefore became important to adduce the evidence of one known to possess the confidence of Joitabaee's mother to such an extent as would make it probable he had been entrusted with the execution of her plans; such a man was Dada Meeya, and as he was bound by no natural ties to the family, his partisanship, so necessary to the accomplishment of the Baba's schemes, became a matter of mere calculation to a man who believes that every human being has his price, and to one who could go into the market of human depravity with such enormous purchasing means and advantages as the Baba.

35. The requisite depositions having been obtained, Baba Nafra then publicly proclaimed Joitabaee to be an impostor, placed her in confinement in one of the rooms

rooms of the bank, and sent off to secure her parents and child. The mother, as has been seen, contrived to escape, but the father was seized and imprisoned in his own house, and the child and its nurse were brought away under a guard to the bank.

36. Next day the child's ornaments were removed; it was conveyed to the garden-house, where the kholies were kept, and handed over to these people. At first, they refused to have anything to do with it; but as Dulleea had received 100 rupees, and his cousin Jooria eight maunds of grain and two rupees in cash, they were compelled to take the child to Amleeara, under a guard of Baba Nafra's Arabs.

37. The child was suffered to remain in their house for two days, when, by Baba Nafra's orders, it was removed from the dwelling of its alleged parents, and placed in an empty house, under Arab guards. No one had access to it save Dulleea's wife, who visited it thrice daily to give it the breast. In about three months it died suddenly, after a few hours' illness, apparently from cholera, which scourge was raging in the village.

38. Such is the narrative to be gathered from the depositions of the witnesses examined at the Residency, between the 5th July and 15th of August; and I think it must be allowed by any one who has read the foregoing papers, with even moderate care, that it bears the stamp of verisimilitude.

39. It in every respect confirms the self-consistent and reiterated statements of Joitabaee, which, as I have already shown, had anterior probability in their favour: it throws light on much that was before obscure, and explains much that was before inexplicable: it is consistent with several acts avowed, and admissions made, by Baba Nafra himself; acts and admissions which are irreconcilable with the story he puts forth.

40. The narrative possessing those traits of verisimilitude is derived from, and substantiated by—

1st. The joint deposition (No. 3) of Lulloo Bhugwan, Bhyejee Jella, and Bhugwan Bhowaneedass Goomasta, taken 5th July 1850.
2d. Deposition (No. 4) of Bhugwan Bhowaneedass, taken 6th July 1850.
3d. Ditto - (No. 13) of Dulleea, Kolie of Amleeara, taken 10th July 1850.
4th. Ditto - (No. 14) of Munsook Lullo Goomashta, taken 11th July 1850.
5th. Ditto - (No. 16) of Patel Bhyjee Bechur, of Amleeara, taken 16th July 1850.
6th. Ditto - (No. 17) of Patel Nurrotum, of Amleeara, taken 16th July 1850.
7th. Ditto - (No. 18) of Kholie Jooria, of Amleeara, taken 16th July 1850.
8th. Ditto - (No. 19) of Arab Syud Munsoor, taken 16th July 1850.
9th. Ditto - (No. 20) of Arab Chous Mahomed, taken 16th July 1850.
10th. Ditto - (No. 21) of Mehta Hurjeeram, taken 17th July 1850.
11th. Ditto - (No. 22) of Goldsmith Wisswanath, taken 17th July 1850.
12th. Ditto - (No. 23) of Blacksmith Atmaram Luxmeedass, taken 17th July 1850.
13th. Ditto - (No. 24) of Wetnurse Ganga, taken 18th July 1850.
14th. Ditto - (No. 25) of Kolie Woman Dhode, of Amleeara, taken 21st July 1850.
15th. Ditto - (No. 26) of Havildar Dada Meeya, taken 21st July 1850.
16th. Ditto - (No. 27) of H.* H.* Nurbeyram Doolubh, taken 21st July 1850. * S. O.
17th. Ditto - (No. 28) of Set Vuzoobhaee (father of elder widow), taken 1st August 1850.
18th. Ditto - (No. 29) of Thakoor Almersing, of Metapoor, taken 14th August 1850.
19th. Ditto - (No. 30) of Thakoor Jeebhaee Hurreebhaee of Metapoor, taken 14th August 1850.
20th. Ditto - (No. 31) of Carbaree Runjee Bhica of Metapoor, taken 14th August 1850.
21st. Ditto - (No. 32) of Thakoor Jetbhaee of Jessapoor, taken 14th August 1850.

22d. Deposition (No. 33) of Kolie Guman, of Jessapoor, taken 14th August 1850.

23d. Ditto - (No. 34) of Kolie Woman Rullyat, of Meetapoor, taken 15th August 1850.

41. Every precaution was adopted to prevent these witnesses holding any communication with each other prior to their second examinations, which I need hardly say were separately conducted. The written record of their depositions cannot, of course, give an index to the tone in which these depositions were rendered. But I can most conscientiously say that the impression left on my mind by their tone, manner, and appearance, was, that the deponents spoke the truth, and that, too, under the idea that everything had then come to light, and that deception would be useless.

*No. 42 of App. (H.), and yad from the Durbar, dated 30 Jan. 1851 (No. 32 J.), with enclosure.

42. The narrative from these depositions receives confirmation from the testimony of the elder widow of the deceased banker,* who, after being released from the tyrannical control of Baba Nafra, declared that she never doubted the perfect good faith of Joitabaee, and complained that she had been made a tool in the hands of her unfaithful steward; and that the petitions sent by that person in her name, with a view to destroy the reputation of the younger widow, were either themselves fraudulent documents, or that their signatures were improperly and fraudulently obtained.

App. (F.), No. 33. Joitabaee, No. 34. Larbaee - No. 35. Mahakoowur, No. 36. Muncha.

43. And still further confirmation of the narrative above detailed was afforded by the cross-examinations of Joitabaee, her mother, and two females who were present at the accouchment. These cross-examinations were conducted under circumstances which could leave no doubt on the mind of any reasonable or candid man of the perfect truthfulness of the statements they elicited.

44. It was not till the 26th August that Joitabaee and her parents returned from Bombay, and on the 4th of September they were summoned to the Residency, to be examined in my presence by the minister and other Durbar officials, this plan being deemed fair, as there was but too good reason to believe that their previous examinations before the punchayet had been neither fairly conducted, nor accurately recorded.

45. The examinations of Joitabaee and her mother were conducted in person by the minister, who had from the commencement of the dispute professed to believe, whether truly or otherwise, and had frequently tried to make me believe, that Joitabaee had never been a mother. Whether from the mere desire of vindicating the soundness of his judgment, or from worse motives, I stop not to determine; but he endeavoured in a very marked manner to entrap them into self-committal in the separately conducted cross-examinations to which he subjected them. But all his efforts were unsuccessful, and he was constrained to admit that their story, in harmony with the statement they had been reiterating for three years, and in harmony with the narrative unfolded in the depositions of the other witnesses, was the true story.

46. But that no means of elucidating the truth should be left unemployed, I suggested the propriety of sending for the women whom Joitabaee and her mother had alluded to as having been present at the accouchement of the former. To this the minister could not demur. The midwife (whose husband testified to her having delivered Joitabaee), and a female neighbour who had been present, were both dead, and the grandmother was too feeble and ill to attend; but a carriage was at once got ready, and Sumbooram Kotwall was despatched to summon Muncha and Mahakoovur. I should have preferred any other messenger to this individual, whom I knew to be one of Baba Nafra's staunchest and most unscrupulous friends and partisans; but official etiquette demanded that he should be employed on the occasion, and I consented that he should be sent, though much fearing that he would intimidate or cajole the women on their way to the Residency.

47. That my fears were realized, I have good reason to believe; for the two females were apparently much alarmed as they severally entered the room in which the examinations were held. I, however, assured them, in the presence of the minister, who was obliged to confirm my assurance, that if hereafter they should be oppressed or ill-treated in consequence of the evidence they were about to

to give, whether for or against Joitabaee, they should receive redress and protection at my hands.

48. Under this assurance, given to them individually as they were consecutively called in for examination, their trepidation subsided, and both of them delivered their statements, and answered the questions put to them by the minister in a manner so earnest and touching as to leave not a single doubt of the veracity of their statements on the mind of any one present.

49. So thoroughly conclusive was the result of this examination, as to the reality of the birth of Joitabaee's boy, that the minister, in spite of the deep interest he took in Baba Nafra, and the active partisanship he displayed in that individual's behalf, could no longer pretend to have a doubt on the subject. He expressed himself now thoroughly convinced that Joitabaee had been a mother, and this he did in the presence not only of Govind Row Roria and Sumbooram, the other Durbar official, but in the presence of my native agent, two carcoons of my establishment, a motley assemblage of jassoos, peons, and attendants of various grades, and of Joitabaee, her relatives, and the witnesses who were called in to hear the minister's declaration.

50. Before all these assembled individuals he avowed himself thoroughly satisfied of the truth of all Joitabaee's allegations; he declared that the aspersions cast on her character had now been utterly and for ever dissipated, and he pledged himself in behalf of the Guicowar that immediate steps should be taken to demonstrate in a practical manner to the whole city of Baroda that her honour had been fully and satisfactorily vindicated.

51. He kept his word. A few days afterwards Joitabaee was summoned to the palace, and a dress of honour conferred on her.

52. Would that I could here conclude my narrative; but I have the pain to record that the wretched Amleeara Kolies, when called before the punchayet, before which Baba Nafra was arraigned, recanted, or in their depositions have been represented as recanting,* the confession they had made at the Residency, reverting to their original story of having sold a child to Joitabaee.

53. These kolies, as has been seen, were Guicowar subjects, and belonged to a village which was to all practical purposes the property of Baba Nafra; it is therefore not to be wondered at that they should have yielded to the threats and cajoleries of Baba Nafra's private and Durbar friends, if such were made. And that cajoleries and threats would be resorted to by these worthies, no one who has read the foregoing pages with any degree of attention could doubt, even were there a total absence of proof to that effect.

54. But proof to that effect is not wanting, as I proceed to show.

55. On the 10th of September Bugwan Bowanee, whose deposition had been given before me on the 6th of July, came to the Residency to complain of a gross attempt on the part of certain of the Durbar officials to induce him to retract the deposition of the 6th of July, and to testify to further falsehoods. The witness declining to do this, the Durbar officials adopted the barefaced procedure of perverting what he did say. This perverted deposition † he was at the time induced to sign, from dread of the parties engaged in the disgraceful proceeding; but he seized the first opportunity that presented itself of evading the vigilance of the Durbar officers to come to the Residency with his complaint. His deposition of the 10th of September is given in the Appendix (F.), No. 37. From a perusal of that deposition, it will be seen what he really did state, viz. that he had at the instigation of Baba Nafra forged a deed purporting to be a written confession of her fraud on the part of Joitabaee. Of the existence of such a document I had not previously heard, and I therefore asked him why he had not before mentioned it to me. His reply was, that he had been Baba Nafra's tool in so many infamous proceedings against Joitabaee that he had not thought of this one when he gave his deposition of the 6th of July. Of this nefarious document,

† *Vide* deposition No. 101, as recorded by the Punchayet, App. (H.)

App. (F.), No. 37.

* A reference to the report of the Judicial Commissioners Sheristedar (Appendix (K.)), on the frauds committed by the Durbar and Punchayet, on the several depositions will show that no credit is attachable to any of the depositions on which the latter body professed to found their judgment.

ment, the forged deed, I shall have occasion to speak when commenting on the punchayet's proceedings.

* App. (F.), No. 38. 56. Bhugwan's statement was partially confirmed by Lulloo,* who seemed in a state of great alarm; and learning from these people that an attempt had likewise been made to tamper with Dada Havildar, I immediately sent for that individual, and questioned him on the subject. His deposition is given in Appendix App. (F.), No. 39. (F.), No. 39. He stated, that eight days previous he had been sent for to the Durbar, when the same officials who had been named by Bugwan "threatened and frightened me, and desired me to pronounce as false the true statement previously given by me, instead of the false one I had formerly given before his Highness," &c. &c. He declared that he had adhered in all respects to the evidence he had given at the Residency; he could not say whether or not they had honestly recorded his deposition. He further deposed that a shastree, named Vissonath, had come to him, sought to instruct him what to say, and promised him a liberal reward if he would recant what he had said at the Residency.

57. While this witness was under examination, a message was brought from the Durbar by Sumbooram, one of the officials referred to, as having practised intimidation. I confronted the two, and afterwards confronted Sumbooram with Bugwan and Lulloo. All three men were evidently afraid of the kotwal, who not only denied the charge, but endeavoured, so far as he dared in my presence, to browbeat them by sinister and menacing looks; but all three adhered to their statements, the strict accuracy of which the systematic conduct of the Durbar would of itself authorize us in assuming.

58. Under the circumstances just detailed, I feel confident that no impartial man could hesitate to believe that the recantation of the Amleeara Kolies can be viewed in any other light than as illustrating the foul system of perjury which was so long successful in defeating the ends of justice.

59. But as I am anxious to leave none of my opinions open to doubt or cavil, I will briefly endeavour to make this point clear.

60. If credit be given to the recantation of the Amleeara Kolies, we must assume that all the other witnesses examined at the Residency perjured themselves; and they who proceed on this assumption are bound to show that the probabilities are, at least, as great in favour of this assumption as they are in favour of the assumption that the perjury was perpetrated by the recanting kolies; that such is not the case, a moment's reflection will suffice to satisfy any reasonable man.

61. It may indeed be alleged that the three approvers were animated by feelings of revenge towards Baba Nafra, and that therefore they had a powerful inducement to give false testimony against him; but the same motives cannot be attributed to the other witnesses, and to their testimony therefore the same *à priori* suspicion does not attach.

62. Then, again, the three approvers were well aware of the almost boundless power of Baba Nafra, and of his unscrupulous and unforgiving disposition; they knew that if their accusations were proved to be false, they would fall again under the Baba's power, and be further subjected to the severest punishment that the Durbar could inflict on them for engaging in a conspiracy against a Brahmin. To suppose, therefore, that they would have ventured to concoct a false story against the Baba, without being well assured that their falsehoods would be borne out by an overwhelming amount of perjured evidence, is to make a supposition outrageously improbable and profoundly absurd. Not less profoundly absurd would be the supposition that they, humble men, incarcerated in a Durbar gaol, without one vestige of the power necessary to make them formidable, and without the means requisite for bribery, should have ventured to adduce as witnesses in behalf of a false tale, trumped up against the most powerful subject in Baroda, the immediate dependents of that subject, the thakoor of British villages, and other parties whom, even with the full resources of my high office, I had the utmost difficulty in bringing before me. And still more profoundly absurd would be the supposition that an extensive system of bribery and subornation of perjury, involving the corruption not only of inhabitants of the village of which Baba Nafra was *de facto* owner, but of the thakoors and other inhabitants of English villages,

villages, could have been organised by or in behalf of the oppressed, contemned, indigent, and apparently God-forsaken Joitabaee, then absent in Bombay; in vain attempting to pour her wrongs and sorrows into the deaf ears of a government which had oft and emphatically refused to interpose on her behalf, or even to reconsider the grounds of their refusal.

63. Yet one, or more, of these suppositions must be made, if any weight be given to the recantation of the Amleeara Kolies; a recantation easily explained by the nature of their dependence on Baba Nafra, and the nature of the efforts made by the friends of Baba Nafra to procure such a recantation.

64. Further, it would devolve on those who should choose to give any weight to the recantation to explain away all the anterior improbabilities of the recanted story, and all the arguments in favour of that story, derived as well from the light it sheds on points previously dark, as from the harmony it displays with authenticated facts.

65. They would have still further to explain away the unrecanted portion of the testimony given by the Amleeara woman Dhodee,* which goes to prove that the only child of suitable age she could have had to sell to Joitabaee is still alive; and it would devolve on them to reconcile, with probability, the fact that the Amleeara woman would have unrepiningly consented to have had her child removed to an empty house, and placed under Arab guards, and that Baba Nafra should have dreamt of so unnatural a course.

* App.(F.), No. 21.

PART IV.—*Proceedings of the Punchayet and Durbar.*

1. I believe that no one who has read the foregoing portion of this report with even moderate care, can entertain any doubt as to the guilt of Baba Nafra in respect to every charge I had made against him, save that of murder; and though I am inclined to believe that the abducted child of Joitabaee actually died of cholera, I consider that the abductor cannot be held altogether guiltless of the boy's death, inasmuch as he removed him at a tender age from the care of his mother and the comforts of his grandparent's house, sent him to a village where cholera was raging, and kept him there under circumstances most unfavourable to the health and vital vigour of an infant.

2. I have little doubt that the view I take of Baba Nafra's conduct will be cordially approved of, as well by the Bombay Government as by the Court of Directors; and I believe it will be a matter both of grief and surprise to Government and the Honourable Court, that the punchayet appointed by the durbar to try Baba Nafra on the charges which I preferred against him should have returned a verdict opposed to every principle of justice, and the clearest inductions of common sense.

3. That the verdict is such as I have characterized it will be seen on a perusal of the punchayet's proceedings, to which I have attached a few remarks—[*vide* Appendix (G.)] Appendix (G.)

4. Despite the sophistries, charitable hypotheses, and special pleas which they skilfully diffuse through their very confused recital of the evidence against their friend, the punchayet are constrained to admit, in respect of the Meetapoor affair, that Baba Nafra "abused the confidence placed on him by his late master, and from the love of gain conspired with Lulloo Bhugwan, and, forgetting what was due to the character of his late master, laid a most villanous and diabolical plot against the wife of that master;" and though they profess to have a doubt as to whether the forged deed, purporting to have been given to the Meetapoor Kolies by Joitabaee, "was got up under the instructions from Baba Nafra," they are compelled "to consider Baba Nafra guilty of an attempt to impose a false document as evidence before the sirkar, with the view of strengthening the evidence produced by him in this case."

5. As regards the Amleeara affair, they admit that no demand for the child had been made by the Amleeara Kolies, and that "no investigation had been held in the matter." They observe, that "if Baba Nafra had actually believed that the lad was spurious, and not the son of the Settanee, at the time of his being

being given up to the kolies, Baba Nafra would have made the same known to the sirkar, and, agreeably to the usual course in such matters, got the sirkar to have investigated the case by one of the Government kamdars, after which he could have acted in the affair as appeared to him just and proper." Yet, despite these admissions, notwithstanding that they had found Baba Nafra guilty of engaging "for a love of gain" in "a most villanous and diabolical plot against Joitabaee" in the Meetapoor affair; and notwithstanding that they knew that the Amleeara child was only alleged to have been obtained in consequence of the death of the pretended Meetapoor child; notwithstanding all this, they did not hesitate to profess to experience a difficulty in determining whether the child abducted by Baba Nafra was really the child of Joitabaee, or of the Amleeara Kolie.

6. The difficulty they pretend arose from the discrepancies in the statements of the witnesses, these discrepancies consisting in the recantation of the Amleeara Kolies, and from the want of clear evidence as to whether Joitabaee had ever borne a child.

7. I have already in the foregoing section shown what amount of value is to be attached to the recantation of the Amleeara Kolies, and, as illustrating the justice of the remarks therein made, I need only draw attention to the fact, that while the punchayet profess to lay stress on that recantation, they take no notice whatever of the depositions sent to them through the durbar of Bhugwun* and others to the effect that bribery and intimidation had been had recourse to, with a view to elicit from them also a recantation of the evidence they had given against Baba Nafra.

* Appendix (F.), Nos. 37, 38, and 39.

8. Nay, further, the punchayet were well aware that the depositions in which the Amleeara Kolies recanted, or were represented as having recanted, the evidence given before me contained gross and barefaced falsehoods. The punchayet's proceedings were from first to last conducted in the presence of the minister; this official called on me the day after the Amleeara Kolies had been brought before the punchayet, when he told me of their recantation. They had, he informed me, declared that when their depositions were taken at the Residency they were only examined by the carkoon as to the fact of the boy having been returned to them by Baba Nafra; that they had only, therefore, deponed to what took place subsequent to the restoration of the child, and that Lulloo Bhugwun had caused the carkoon to write down a false version of what they stated, as well as to attribute to them much that they had never stated. He told me further, that the woman had declared that the carkoon compelled her to depose to the spurious statements recorded in what professed to be her husband's deposition, notwithstanding her protest against the accuracy of those statements. I asked the minister in what manner he fancied the Residency depositions had been taken; in reply, he professed to imagine they had been taken in the office, and then brought to me to be read over and signed in my presence; I assured him that such was not my way of conducting business; that every witness was examined by myself, and that the answers which had been written down in my presence were read over to the deponents ere they were allowed to append their signatures; and in proof of the accuracy of my statement, I showed him the list of queries which I had addressed to the kolies, which I told him to compare with those appearing in the depositions. The minister was on this obliged to express his conviction that the kolies had been tampered with, and that they had doubly forsworn themselves. He affected to be very angry with Sumbooram, the kotwall, who was present, for not pointing out to him these questions which were contained in the kolies' depositions sent from the Residency; and he declared that the perjured worthless testimony of the kolies should not be recorded. To this I objected; I recommended that every deposition should be recorded, it being left to the punchayet to take what notice they pleased of the facts then brought to the minister's knowledge; but, as we have seen, it pleased the punchayet to ignore these facts, just as it pleased them to ignore the fact that the minister, after a severe and unfair cross-examination of the witnesses of Joitabaee's accouchement, had declared himself perfectly satisfied that the lady had borne a child, and the additional fact that her perfect innocence of the frauds attributed to her had been officially proclaimed by her sovereign weeks before the punchayet's proceedings were sent in.

9. As regards the question of whether Joitabaee had, or had not, borne a child, I beg to refer to the Report of the Medical Committee,† to whom I deputed the task

† Appendix (L.)

task of entering on a full medico-legal investigation of the matter. Their Report not only places the fact of Joitabaee's confinement beyond the region of doubt, but I think most satisfactorily shows that they who professed to doubt it, assigned most absurd and most disingenuous reasons for their doubts.

10. That Report is so exhaustive of the entire matter, that I will not unnecessarily give length to this section by importing into it the Committee's remarks; but I would beg, in confirmation of what they say in reference to the untrustworthiness of the woman Punnee, to refer to my analysis of that witness's several depositions given in Appendix (M.);* and in confirmation of what they have said regarding the deed, confessing the fraud alleged to have been executed by Joitabaee, I would refer to Appendix (N.), in which the merits of that document are considered. In this place I may, however, observe, that the punchayet's audacious dishonesty is singularly illustrated in their allusions to the forged deed in question. They had received from the durbar the deposition of Bhugwan Bowanee, made before me on the 10th September 1850; they knew that Bhugwan had complained that gross attempts had been made on the 8th, to induce him to recant his previous evidence, as given at the Residency, and once more to aver that Joitabaee had consented to grant the deed in question; they had further been officially apprized, that he had on the 10th September complained that on his resolutely adhering to his former evidence, the punchayet had falsified the record of the deposition made by him on the 8th. Yet, notwithstanding this, not only did they make no attempt to purge themselves, or the durbar officials who had aided them, of charges so destructive of their characters as honest men; but, passing over those charges unnoticed, they balance the depositions given before me on the 5th and 6th July 1850, against that which they professed to have received on the 8th September, and coolly decide, that as the statements given before the Resident "are quite at variance with their former statements, consequently their statements cannot be relied on as true." Appendix (N.)

11. The few remarks I have just made will suffice to show the animus of the court appointed by the durbar nominally to try Baba Nafra, but in reality designed to screen that great and influential criminal, by every artifice that Brahminical subtlety and Maharatta unscrupulousness could devise. To form anything like a just conception of the shameful and shameless artifices resorted to by certain members of the durbar, and their creatures of the punchayet, it is necessary to read the Report given in Appendix (K.) in which the Judicial Commissioner, Mr. Grant, (to whom I had officially submitted the whole of the papers received from the Durbar, for reasons stated in my letter addressed to that gentleman therein submitted), forwards the analysis by his sheristedar of the proceedings of the punchayet. In doing so, that gentleman expressed his own conviction "that most of the depositions have been falsified, and that the object of the falsifications was to screen the prisoner is, I think, beyond a doubt. The complicity of the punchayet in this attempt, is, I fear, too obvious." Referring for full particulars to the sheristedar's report, it is enough that in this place I give a cursory glance at some of the artifices which I myself discovered, and the discovery of which satisfied me that it was a duty I owed the state to obtain all the legal aid that the judicial Commissioner, then passing through Baroda, was in a position to render me. Appendix (K.)

12. The second punchayet, that is, the one appointed to try Baba Nafra† in August last, ‡ served itself heir to the entire mass of documents that had been collected by the first punchayet, which was assembled in 1847, but which, as has been seen, finding that it could not make out such a case in behalf of Baba Nafra as would stand the review of a British functionary, abstained, under various false and frivolous pleas, from drawing its proceedings to a conclusion. ‡ S. O.

13. These documents, as referred to and numbered 1 to 104 in the second punchayet's report, are given in Appendix (H.) Appendix (H.)

14. Of

---

* In that Appendix I have analyzed the principal witnesses adduced in behalf of Baba Nafra.

† This, the punchayet of 1850, was composed of—1. Bheemashunkur Gungadhur; 2. Bhasker, Row Withul; 3. Gopal Row Myral; 4. Choonelall Lulloobbaee; 5. Narrain Row Muzmoodar.

14. Of these, the following eleven documents; viz.—

Deposition of Rugoonath, of Meetapoor (No. 2), dated 25th February 1847;
Ditto - of Pholee, woman of Meetapoor (No. 1), of Punchayet, dated 25th February 1847;
Ditto - of Havildar Dada Meeya, of Meetapoor (No. 31), dated 8th March 1847;
Ditto - of Dhulleeah of Amleeara, of Meetapoor (No. 32), dated 9th March 1847;
Ditto - of Dhoodee, woman of Meetapoor (No. 33), dated 9th March 1847;
Ditto - of Jooria Tallaveeya, of Meetapoor (No. 34,) dated 9th March 1847;
Joint ditto of Patels Eshwer, Ryejee Bechur, and Nurrotum, of Amleeara (No. 36), dated 15th June 1847;
Deposition of Arab Syud, Munsoor, (No. 37), dated 15th June 1847;
Ditto - of Mehta Hurjeewun, of Amleeara (No. 39), dated 15th June 1847, and a deed of acquittance, by Rugoonath Kolie (No. 4), dated 22d March 1847;

professedly taken before the Guicowar, were actually written down in the bank at Baba Nafra's dictation, and all except the first (the writer of which is unknown) by the hand of his confidential clerk, Vrujhokun Eshwer. In addition to these, there was placed before them a deposition by Punnee woman, similarly taken by Baba Nafra, and professing to have been taken at the Durbar. This document the punchayet did not deem it wise to record.†

† It will be found at the end of Appendix (H.)

15. The dates of these depositions afford confirmation of what has been stated in para. 30 of the previous section, founded on the after-confessions of the witnesses, to the effect that the Amleeara Kolies were held in confinement until Dada Havildar could be brought into Baba Nafra's schemes. His deposition, it will be seen, was written on the 8th March 1847; theirs the next day.

16. The 35 depositions enumerated below are all in the hand-writing of Hurry Punt, a carkoon belonging to Trimbuck Row Shastree:

Punchayet Numbers.

6. Koolie Rugnath, of Meetapoor, 10th, 11th, 13th, and 15th November 1847.
10. Gooman Mowsing, of Meetapoor, 11th and 13th November 1847.
9. Runjee Bheeka,* of Meetapoor, 13th December 1847.
82. Bhanabhaee Kandass,* of Baroda, 20th, 23d, and 24th November 1847.
81. Settanee Joitabaee, of Baroda, 21st and 24th November 1847.
84. Daie Khooshallee, of Baroda, 3d and 23d December 1847.
12. Lulloo Bhugwun,* of Baroda, 7th December 1847.
93. Baba Nafra,* of Baroda, 29th November, and 9th December 1847.
94. Mahaluxmeebaee, of Baroda, 10th and 12th December 1847.
83. Daie Gunga, of Baroda, 22d December 1847.
96. Jemedar Settaram, of Baroda, 24th December 1847.
56. Bhatia Nurbheram,* of Baroda, 19th January 1848.
85. Rewa, woman of Baroda, 20th January 1848.
86. Muncha, woman of Baroda, 20th January 1848.
35. Confession of Joitabaee Settanee, of Baroda, 21st March 1847.
41. Dhullia Bhana, of Amleeara, 8th, 10th, and 13th September, and 10th October 1848.
44. Dhoodee, woman of Amleeara, 8th and 11th September 1848.
42. Joria Jussa, of Amleeara, 8th September 1848.
47. Bhooder Bhana, of Amleeara, 11th and 13th September 1848.
46. Bheeca Hurree Bhow, of Amleeara, 11th September 1848.
43. Byjee Bechur, of Amleeara, 11th September 1848.
50. Patell Eshwur Vunarsee, of Amleeara, 11th September 1848.
45. Patell Nurrotum Narrain,* of Amleeara, 11th September 1848.
54. Syud Munsoor, Arab, of Amleeara, 11th, 13th, and 14th September 1848.
53. Hoosain Nasser, of Amleeara, 11th and 13th September 1848.
52. Sallum Velludo, of Amleeara, 11th September 1848.
55. Mahomed Buddo, of Amleeara, 13th September 1848.
51. Hurjeewun Mehta, of Amleeara, 11th September 1848.
40. Dada, Havildar,* of Amleeara, 8th September 1848.
5. Phoolee, woman of Baroda,* 18th September 1848.
48. Punnee, woman of Baroda, of 18th September 1848.
99. Desaie Dyasunker,* (dead), 24th September 1848.
97. Vyud Mootteeram,* native Doctor, 24th September 1848.
98. Josie Trebhowun,* 26th September 1848.
49. Bhugwan Bhowanee,* 25th September 1848.

And the following five depositions, written by Mooljee, the carkoon of Bappoo Shastree:

Jeebhaee

Jeebhaee Hurreelhaes,* of Meetapoor (No. 8), dated 12th and 13th November 1847.
Thakoor Umersing,* of Meetapoor (No. 11), dated 12th and 13th November 1847.
Thakoor Jeetsing, of Jessapoor (No. 7), dated 11th and 13th November 1847.
Barber Bechur, of Baroda (No. 87), dated 26th November 1847.
Bharote Purtal,* of Sowlee (No. 13), dated 8th December 1847.

17. Of these the dates of the depositions of the Amleeara witnesses, No. 40, 41, 42, 44, 46, 47, and 51, have been altered; why such alterations were rendered necessary, it is impossible to say; but the object of other irregularities in these documents is more apparent. Thus only 15 of the depositions are signed by the deponents themselves,† the signatures to the rest having been appended by the carkoon. The 15 which are signed are, with one exception, those of parties to the conspiracy, whose familiarity with the unscrupulous character of their chief and confederates doubtless made them insist on attaching their signatures to the end of their depositions, to prevent their hereafter finding themselves implicated to a greater extent than they reckoned on; the exception referred to is that of Bhanabhaee, the father of Joitabaee, who had taken the precaution to affix his signature across all the junctions of the bunds (leaves) of his deposition; the last bund, however, having been detached, some of the intermediate leaves were abstracted, others substituted, and then the last leaf containing the signature was re-attached. The obvious object of the karkoon signing for the other deponents was to facilitate the falsification, if necessary, of the evidence given before the punchayet, by the substitution of new bunds at pleasure.

† Marked thus *.

18. Again, on not one of the depositions is it stated before whom they were taken, a neglect of established usage which could only have been practised with a view of preventing the Resident affixing to any member or members of the punchayet responsibility for any of the frauds that might be detected.

19. In addition to the depositions derived from the first punchayet, the second punchayet had all that were taken before myself at the Residency, and they further summoned personally before them the following witnesses, all of whom, with the exception of the woman Punnee, whose name had never been mentioned to me, had been previously examined by myself. The numbers affixed to the depositions are those given them by the punchayet:

Punchayet Numbers.
28. Lulloo Bhugwan, dated 18th and 20th August 1850.
100. Baba Nafra, dated 18th August and 6th September 1850.
29. Jemadar Yusoof, dated 18th August and 6th September 1850.
92. Bhugtee Kandass (Bhunabhoy), August 31st and 6th September 1850.
73. Bhateea Nurbheyram, dated 1st September 1850.
72. Dada Meeya Havildar, dated 1st September 1850.
101. Bhugwan Bhowanee, dated 8th September 1850.
80. Seetaram Jemadar, dated 8th September 1850.
79. Gunga, wetnurse, dated 9th September 1850.
74. Dulleea, of Amleeara, dated 24th August 1850.
76. Patell Ryejee Bechur, of Amleeara, dated 24th August 1850.
77. Patell Nurrotum Narrain, of Amleeara, dated 24th August 1850.
75. Dhoodee, woman of Amleeara, dated 31st August 1850.
23. Ummersing, of Meetapoor, dated 16th August 1850.
24. Sha Runjee Bhicka, of Meetapoor, dated 16th August 1850.
27. Jeebhaee Hurreebhaee, of Meetapoor, dated 17th and 20th August 1850.
26. Jeetsing, of Jessapoor, dated 17th and 20th August 1850.
25. Goman Mowsing, of Jessapoor, 17th and 20th August 1850.
22. Ruleyat, woman of Meetapoor, dated 17th and 20th August 1850.
78. Punnee, woman of Baroda, dated 23d September 1850.

20. All these depositions are in the handwriting of Sumbooram Kotwall, and most of them are signed by him for the deponents: these, like the previous ones, are unattested, and no indication is given as to their having been taken in presence of the punchayet. Four others, similarly unattested, are written by Hurry Punt, carkoon of Trimbuck Shastree Munbore.

21. Of the 71 depositions comprised in the above enumeration, Nos. 29, 30, 79, 82, 92, 80, 96, 99, 102, and 104, were altogether withheld by the punchayet. Their reasons for withholding them is obvious. After the preparation of their report, the flaws and discrepancies contained in some, and the bungling alterations in others, appear to have occurred to some one who had passed their proceedings

in review with more than ordinary care. It was probably therefore deemed best to keep them back, trusting to their absence being unnoticed amidst such a confused mass of papers. But as their numbers had been referred to in the punchayet's report, I was enabled to demand them, and they were subsequently produced. On inspecting the documents, my suspicion was confirmed that they had been withdrawn because telling against the prisoner. The first deposition of Punnee, moreover, which will be found at the end of Appendix (H.), and Nos. 2, 3, 4, 5, 6, 7, 31, and 32 of the deposition taken at the Residency Appendix (F) were left entirely unnoticed and unrecorded: as, however, it would occupy much time and space to trace and explain all the artifices, discrepancies, &c., observable in them, I shall here confine myself to a few illustrations, referring to the elaborate report of the Judicial Commissioner's Sheristedar for more detailed information on the subject.*

The deposition of Lullo Bhugwan, No. 30, dated 22d September 1850, makes reference to certain of Baba Nafra's chopras, that contain the record of sums disbursed in bribery, which it was the duty of the punchayet to call upon the durbar to cause the production of, which it was of course in the power of the durbar to enforce, and they doubtless apprehended I should insist on being produced when this deposition came under my observation.

Nos. 79 and 32.

Gunga's deposition, No. 79, dated 9th September 1850, makes an inconvenient disclosure of Joitabaee's distress, when she first heard of the removal of her son, quite opposed to what she had been made to say in her previous deposition, No. 83, (a notice of which will be found among the tampered-with documents hereafter enumerated), and quite confirmative of the complaints which Joitabaee made at the time her deposition was taken, of an attempt to corrupt Gunga, and in failure of that attempt, of the perversion of her testimony.† With the same view apparently, viz., to keep out of view Joitabaee's natural feeling for her offspring, the punchayet altogether omitted to record Bhugwandass's deposition, No. 32 of (F.) (dated 4th September 1850), in which he described Joitabaee's distress and disappointment on not receiving tidings of her lost son on her return to Baroda.

† Joitabaee's Yad, dated 13th November 1847.

Nos. 92 and 82 of (H.)

The reasons for withholding Bhanabhaee's two depositions of the 31st August and 8th September 1850, Nos. 92 and 82, are very obvious. In the first he solemnly denies the deed executed in his name, the forgery of which is distinctly proved, moreover, by Lulloo Bhugwan's and Bhugwan Bhowanee's depositions, Nos. 3 and 4 of Appendix (F.), which are among those adverted to above as having neither been noticed nor recorded on their proceedings. The second too plainly betrays the barefaced alterations in Banabhaee's evidence (with a view to turn it against his daughter so far as a father's testimony could be made to appear adverse to her cause, and the clumsy attempts to forge his signature), to leave a hope that it could escape notice if subjected to scrutiny, an ordeal which it had not been contemplated the document would be submitted to: a notice of this mutilated deposition will be found in the list of altered documents hereafter enumerated, and Bhanabhaee's testimony regarding it is given in No. 42 of Appendix (F.)

Nos. 3 and 4 of (F.)

The reason for withholding the two depositions of Seetaram Jemedar, Nos. 80 and 96, dated 8th September 1850, and 24th December 1847, will appear sufficiently obvious on a perusal of the notice of this individual's evidence in Appendix (M.) Not only are the discrepancies between the two statements most glaring, but the contradictions on his cross-examination, contained in No. 80, are absurdly downright. Moreover, the breaking open of the door in Bhanabhaee's house, which is flatly denied by Seetaram in No. 96, had been sworn to by every other person who had been present on the occasion: as therefore Seetaram's testimony given at the Residency No. 9, was less flagrantly inconsistent, it was thought better to retain that alone, withholding those under notice, as less troublesome than entirely reconstructing them.

Appendix (M.)

The withholding of the deposition of Dessaee Dyashunker, No. 99, dated 24th September 1848, was obviously had recourse to with a view to evade the necessity of convicting Baba Nafra of the forgery of Joitabaee's pretended confession. To this end it was requisite that the original deed should not be produced before them, and they admitted therefore without question Baba Nafra's assertion that he had given

* The punchayet little anticipated that I would call for all documents in original, and were not a little taken aback at my demand to that effect. Their uneasiness, I need hardly say, was vastly increased when they knew that I had subjected their proceedings to the review of an experienced judicial sheristedar.

given it to the late Guicowar, taking it for granted that it could not now be found. Now the deposition under notice, which was on record before them, proves that the original document was produced before the former punchayet on the date of that deposition, viz., 24th September 1848, nine months subsequent to the late Maharaj's demise. The object of withholding this deposition, therefore, speaks for itself.

BhugwanBhowanee's deposition, No. 104, makes the inconvenient confession that he himself had written, at Baba Nafra's dictation, the documents Nos. 94 and 95, in Mahaluxmee Baee's name, without her cognizance, which documents the punchayet have received and recorded as evidence: its suppression was therefore necessary.

Baba Nafra's deposition, No. 102, appears to have been intended to meet certain discrepancies in his previous statements; but, notwithstanding the explanations therein elicited under cover of leading questions, and notwithstanding subsequent attempts to render it more satisfactory by alterations and substitutions, it must have been deemed more damaging than otherwise to his cause, as they preferred the chance of my overlooking such discrepancies to drawing my attention to them by recording the document.

The deposition of Punnee before the first punchayet, dated 23d March 1847, was altogether cast aside, and I should have had no clue to its existence, had not a reference to it in a subsequent deposition accidentally remained. The suppression of this document was necessary, because no allusion whatever is made therein to Joitabaee's confession, in which this witness is made in her other statements to appear as a principal agent. As the pretended written confession is dated 21st March 1847, only two days prior to this deposition, so important a fact must have been mentioned therein, had it really occurred; therefore was it suppressed.

The motive for suppressing Labaee's deposition was to screen the former punchayet and the durbar, who had declared that Larbaee's refusal to give her evidence prevented the closing of their proceedings.*

22. A careful examination of these documents show that many of them have been feloniously tampered with. Whole bunds (leaves) have been abstracted, and new ones pasted in their place; and where the terminal leaf containing the signature has been thus removed, it has, of course, been necessary to forge fresh signatures, except in those instances in which the parties were sufficiently under command to be induced to affix fresh signatures. The documents thus tampered with are 26 in number, as follows:

No. 23. That of Thakoor Umersing, of Metapoor, has had the last four bunds (leaves) changed. His signature is written at the back at the points of junction of the first three bunds, but not at the junction of the remaining four bunds.

No. 24. Rungjee Bheeka has had one bund changed, as shown by there remaining only one-half of his signature at the junction of that bund.

No. 26. Jeetsing has had all save the first three bunds changed, as shown by his signature appearing on the back of these, but on none of the subsequent bunds.

No. 27. Jeebhaee has had the second bund changed, as shown by the absence from that bund of his signature, which is affixed to the junction of all the other bunds.

23. The changed portions in the above depositions contain the cross-examinations of the witnesses by Baba Nafra. As the evidence recorded on the altered bunds is confirmatory of what the witnesses had previously deposed at the Residency, the object of the substitutions cannot be assigned with certainty. But there is good reason for believing that the abstracted bunds contained, as the result of the cross-examination to which the witnesses were subjected, evidence more damnatory to Baba Nafra than that given in the changed bunds. In confirmation of this supposition, I may mention, that I was informed at the time that these Meetapoor witnesses

* True, the Durbar had sent out a copy of Larbaee's examination to the Residency; but, as has been seen, Nursoo Punt had deluded Captain French into the belief that the inquiry had yet to be commenced; and they doubtless hoped that this deposition would be overlooked, and thus no evidence afforded of the gross dishonesty both of the first punchayet and the durbar, in not closing the case, and sending in their proceedings to the Residency.

witnesses had been subjected to a most searching and intimidating cross-examination before the durbar, in presence of Baba Nafra, and that they had resolutely adhered to the statements previously rendered by them at the Residency. Next day the minister, apparently fearing that I might hear of the severity and intimidating nature of these cross-examinations, and hoping to blind me as to his duplicity, and as to the partisanship he displayed to Baba Nafra, waited on me, and observed that when I came to read the depositions, I might possibly suspect him of having acted as the Baba's advocate, and of having endeavoured to puzzle and entrap the witnesses; but, he added, such was not his motive; he had simply deemed it his duty to submit the witnesses to a severe cross-examination, their evidence before myself having been so opposed to that given by them in 1847; yet, in the depositions under notice there is no trace of these severe cross-examinations.

No. 25. The signatures are forged of Gooman Mowsing, in which that individual is made to contradict himself by averring one day that he did, and on the other that he did not, see Baba Nafra in the garden, where the Meetapoor kholies were located.

No. 28. The deposition of Lulloo Bhugwan, the approver, has several bunds substituted.

The substitution contains nothing in favour of Baba Nafra; but, as in the cases above adverted to, it is most probable that the original record must have contained what would have been still more prejudicial to the Baba, he (Lulloo) having informed me a few days afterwards, that Baba Nafra had endeavoured to throw on him the onus of the money expended in bribing the kholies, regarding which he had "answered the Baba to his face," and given a clear account of the disbursements, which does not appear in this deposition.

No. 41. In the deposition of Dulleeya portion of the last bund having been cut off, the date and signature are entered at the back: what may have been abstracted, it is difficult to say.

No. 45. The first bund in the deposition of Nurrotum has been changed, and in the substituted bund is contained an acknowledgment of the truth of the deposition taken by Baba Nafra in 1847.

No. 50. The same change as in the foregoing has been made, and with the same object, in the deposition of Eshwur Patell.

No. 48. Punnee's deposition taken by Baba Nafra (the alteration in which Vriybhookum, the Baba's secretary, declares he himself made at the Baba's dictation*), in the substituted portion she is made to throw doubt on the reality of Joitabaee's pregnancy, by saying that during that period Joitabaee concealed her person by muffling herself up with shawls, and allowed no one to see her bathe, or dress, save the persons who came from her mother's house; and the deponent is therein also made to say, that when on the night of Joitabaee's delivery she saw the child of which Joitabaee professed to be delivered, it presented none of the appearances of a recently born infant.

* *Vide* his deposition, taken at the Residency, No. 43, Appendix (F.).

No. 49. In the substituted bunds of Bhugwan's deposition, he is made to say, that when on Dessai Dyashunker remarking, when directed by Joitabaee to sign on her behalf the confession of her fraud, that a witness was required, Joitabaee told him to write Shree Runchorejee (Deity) as witness, and that she had then given her confession to Baba Nafra with her own hand.

No. 86. In the substituted portion of Nurbheyram's evidence he is made to say, that Dada Meerya's first deposition was made in his presence, and signed by him as a witness.

No. 74. In the substituted part of Dulleea's evidence is contained a question as to the birth of the child he is said to have sold to Dada Havildar, and the portion of the reply explaining this, and stating that Dada Meecha† came to bargain for it the day after its birth.

† *S. O.*

No. 76. In the substituted portion of Ryjeepatell's deposition he is made to say, that "Dulleea's son, whom he had given away at Baroda, had been returned to him."

No. 77. In the substituted portion of Nurrotum Patell's evidence, he is made to say, "I and all others saw Dulleea's wife pregnant 1½‡ years before the boy was returned to Dulleea from Joitabaee Settanee, but the child of that pregnancy was not, however, seen after its being born."

‡ *S. O.*

No. 83.

No. 83. In the substituted portion of Gunga's deposition, she is made to give evidence calculated to show that Joitabaee displayed no violent grief when told that her child had been abducted. I subjoin in parallel columns the evidence given by Gunga, and that which she is made to give in the substituted portion of her deposition:

Before the Punchayet (No. 83).	At the Residency No. 20 (F.)
22d December 1847.	18th July 1850.
"Khosshallee, the Jemadar and Baba, conveyed the child away from thence, and I also went to Joitabaee Settanee, and intimated to her of the child having been conveyed away; but she made no answer."	"I secretly informed Joitabaee of all that had passed; upon hearing which, she began weeping and beating her head and breasts, and became much distressed, when I consoled her till she became collected; but for days she eat nothing."

No. 98. In the substituted portion of the deposition, of Tribhowan Jossee, he is made to say, that Joitabaee had in his presence confessed to the physician Motteeram, that she was feigning a pregnancy, and that she promised not to persist in the deception.

No. 104. Bhugwan, in the substituted bunds of his deposition, is made to say, that Joitabaee "got him to write a paper signifying that the boy was not her own." What their precise object was, in substituting bunds in an evidence they had already falsified to suit their own purposes, it is difficult to say, but doubtless the act was not objectless.

No. 100. The substitutions in this deposition of Baba Nafra's, dated 18th August and 5th September, have been subsequently introduced in five different places to strengthen his case, harmonizing as they do with other altered depositions. The first substitutions state, that the late Maharaj had advised him not to expose himself, but to institute inquiries through "Vuyoobhaee, and that he instructed the latter accordingly, and authorized him to expend 5,000 rupees to effect the object," (rendered necessary to account for the expenditure of cash as disclosed by the Bank books, of which no mention had been made in his previous deposition of the 29th November 1847, No. 93). The second substitution introduces the pretended confession of Joitabaee. The third substitution states who were present on the occasion. The fourth states, that Joitabaee sent Punnee to call the Baba to take her confession; and the fifth states, that when Baba Nafra's wife visited Joitabaee, after her accouchement, the child was not shown to her; that Joitabaee was on bad terms with him during the sett's life-time, owing to her bad conduct; and that, since the birth of the child, Joitabaee had the people of the firm, her mother and others, to guard her, so as to keep off his (Baba Nafra's) people.

No. 102. The portion substituted in this deposition of Baba Nafra gives his explanation of some awkward circumstances, queries having been put to him with the view apparently of introducing an explanatory screen; but the result must have been considered unsatisfactory, as the deposition was withheld, in the trust probability* that the circumstances referred to would escape my notice. They are, 1st, The descrepancy in his statement in deposition No. 100, that "10 or 12 days had elapsed subsequent to taking the depositions of Dulleea, &c., before he imprisoned Bhanabaee, and seized the boy;" whereas the dates of the depositions showed that these events occurred on the same day. 2d. His having stated that he had paid Lulloo 15,000 rupees, with interest, for finding the parents of the child before he had ascertained that they were really the parents. 3d. His having stated that Joitabaee wrote her confession, of her own free will, when the depositions show that she had been imprisoned and separated from her child for 15 days when the writing was taken.

* S. O.

No. 13. That portion of Purtab Bharote's evidence is substituted, wherein he describes the means by which he ascertained that the child had been obtained from Kolie Rugoonath.

No. 81. In the substituted portions of this deposition, Joitabaee Settanee is made to say, that she does not recollect who she sent to intimate to the elder widow that she was about to proceed to her father's house to be delivered; that she does not recollect what women were present when she was delivered; that she knew not what midwife attended, or what was paid for her service; that she was not

not five months pregnant when her husband died, &c. A reference to this deposition will show the objections Joitabaee made to it when read to her by the medical committee (recorded on its margin). This is the deposition referred to in the 26th para. of the 2d section, which she complained to the Resident, at the time it was taken, misrepresented what she had stated. Not contented with their misrepresenting what she had stated, it appears that still further falsification has been the object of these substitutions.

No. 82. In this deposition of Bhanabhaee (Joitabaee's father), the first eight and last two bunds have been changed, as shown by the fact that his signatures, which he had taken the precaution to write across all the junctions, have disappeared, excepting at the junctions of the intermediate bunds. It had been attempted to forge his signature at two of these places; but this was effected so clumsily, the attempt was not made at the others; and altogether the gross liberties taken with this deposition were too apparent for the punchayet to venture to send it up. This accordingly was one of the 10 depositions withheld from me. The object could only, of course, be to vitiate his testimony in his daughter's favour. Bhanabhaee's deposition before me, regarding the alterations made in this document, will be found in No. 42 of Appendix (F.)

Vide Appendix (F.), No. 42.

No. 94. Mahaluxmeebaee, in the substituted bunds of her deposition, is made to explain why she celebrated the "Shustic Poonja" and "Bharsa" ceremonies on the birth of Joitabaee's son, notwithstanding she suspected the spuriousness of the child, and to declare that Baba Nafra never opened the Treasury except by her orders, and in presence of witnesses.

No. 78. Punnee is made to say, in the substituted portion of this deposition, that Bhugwan was present when she gave the oaths to Dada Meeyah.

No. 93. In the substituted portions of this deposition, Baba Nafra introduces his explanation regarding the "will;" asserts that his wife, on visiting Joitabaee after delivery, was not allowed to see either mother or child; declares that Mahaluxmeebaee consulted him about sending Lulloo to inquire about the real parents of Joitabaee's son, &c., and introduces the story of Joitabaee's confession.

24. The object of the tamperings with Baba Nafra's own depositions above noticed cannot be mistaken, nor can it be doubted that they were effected either by the Baba himself, or by his friends, in consultation with him with a view to strengthen his case. Still I deemed it right to have the alterations pointed out to the man, in order to afford him the opportunity of disclaiming them, and declaring what he really had stated, should any thing have been introduced without his cognizance. For this purpose I sent the original papers, by my native agent, to be shown to him; he flatly refused to look at them. Subsequently I forwarded them to his Highness, for the explanation of the punchayet, whose declaration that the alterations were Baba Nafra's own doing will be found in No. 48 of Appendix (J.)

25. How far the second punchayet is answerable for the tricks played with the depositions taken by the first one, I do not pretend to determine; nor is the determination of this point a matter of the slightest importance. Both bodies have been shown to have acted in a most disgraceful spirit of partisanship towards Baba Nafra; and the proceedings of the second one distinctly prove, that while its members were compelled to give a decision adverse to their friend, they did not hesitate to adopt the most shameful expedients, with a view to render their verdict as little damaging as possible.

26. These expedients I should have been able to expose more fully than I have done had I received that aid from the Durbar which it was their duty to render me. But as the punchayet had been merely the tool and puppet of certain influential members of the Durbar, it cannot be a matter of surprise that my efforts should have been unsupported and negatively frustrated—frustrated so far as the Durbar could venture to frustrate them. I say the Durbar, and I beg that neither the Bombay government nor the Honourable Court will conceive that I mean to implicate the Guicowar personally. Against his Highness I have no complaint to make; on the contrary, I owe him a deep debt of gratitude for the anxiety he has ever displayed to forward my views and to facilitate my measures; and had his Durbar given cordial effect to the Prince's orders, and fulfilled what they

they knew to be his wishes, I should have been able to make a clearer and a more concise report.

27. But the durbar, by which I mean the official servants of the Guicowar government, are almost to a man the friends and partisans of Baba Nafra; and, considering what I have said in paras. 14 to 19 of my introductory remarks, it can hardly be a matter of surprise that their friendship remains uncooled, and their partisanship unabated, notwithstanding the temporary disgrace that has fallen on their friend. The sentence under which the Baba lies will, they confidently believe, be set aside by the Bombay Government; for not only do they rely on the omnipotent efficacy of "khutput" in the abstract, but they believe that effectual "khutput" has long since been made by Baba Nafra and his friends; they know that the Baba is ready to pay down almost any imaginable amount of money; they are aware that since his conviction enormous sums have actually been remitted to Bombay; and they have learned, further, not only that one of the leading members of the Bombay bar has been retained in his behalf, but that Captain French takes a deep interest in his cause, and is strenuously exerting himself in the Baba's behalf.

28. As illustrative of the tactics of the durbar, friends of Baba Nafra, I may observe, that while the several investigations were being conducted, they affected an immense zeal for the elicitation of truth, and would fain have deluded me into the belief that they viewed the Baba with no friendly feelings, a favourite Maharatha tactic, just as Nursoopunt had succeeded in similarly deluding Captain French. They were constantly waiting on me to report progress, and to ask my advice. They sent me the original draft of the punchayet's finding, while yet the shastrees were determining what were the punishments prescribed for the particular kinds and shades of villany of which Baba Nafra had been convicted; and when the various punishments assigned in the sacred books for the Baba's crimes had been enumerated by the shastrees, they came to consult me as to those I wished inflicted.

29. Their motives were not difficult to discern. Not only did they wish to cloak their partisanship of Baba Nafra and* the underhand obstructions they were raising to his full conviction, but they were anxious to make me, as it were, a party to the punchayet's proceedings, and thus put me out of Court, should I attempt hereafter to expose and set aside these proceedings. Being unable to meet, or openly denounce their intrigues, I had no alternative but to let things go on in their own way, resolved, when the case came in review before me, to do my best to counteract their disgraceful machinations by a searching scrutiny; I therefore, in reply to all their demands for advice, contented myself with simply recommending that the investigation should be conducted in such a candid and open manner as should prevent the public from supposing that there was a leaning to either party. The rough draft of the punchayet's proceedings sent to me I returned to the durbar, after having caused a copy to be taken and retained in my office, a precaution, the wisdom of which is sufficiently illustrated by the fact, that the clean copy afterwards sent me by the durbar, differs in some respects from the document of which it professes to be a transcript. In reference to the request made that I would select, out of the assignable punishments, those I thought best suited to Baba Nafra's deserts, I declined offering any opinion at all, beyond suggesting, that if they selected "confiscation to the state of all his property," one of the punishments assigned in the shasters for one of the Baba's crimes, they would probably cause reflections to be cast on his Highness. My suggestion was as distasteful to them as it was unlooked for. They were in hopes that I would have recommended this very punishment, in which case Baba Nafra and his friends would have endeavoured to strengthen their appeal to Government, by attributing the conviction of that great criminal to the influence against him exerted by the Guicowar, who, as they would have alleged, had been stimulated to compel a conviction by the last† of appropriation.

* S. O.

† S. O.

30. I have said that the punchayet's proceedings, as sent to me officially, differed from the original draft first submitted. This circumstance I communicated to his Highness by yad, and requested explanations; and from that day up to the present I have had repeated occasion to call for further explanations respecting the various

various discrepancies, suppressions, garblings, and other discreditable artifices in the punchayet's proceedings, which have from time to time come to light. I will not give unnecessary bulk to this report by describing the unsatisfactory nature of these explanations; but a reference to Appendix (J.), which contains the correspondence on the subject which passed between the residency and the durbar, while it will show how sorely my temper and patience have been tried, and what local obstacles I have had to contend with in my researches after truth, will, I hope, when taken in connexion with what I have said in paras. 16 to 19 of my introductory section, satisfy Government that their own dignity, and the welfare of those under their protection, imperatively demand that they should, whenever it is in their power, render me that prompt, active, cordial, well-marked, and energetic aid, without which it is in vain I attempt to vindicate the purity and incorruptibility of British justice, and to eradicate that universal and deeply-rooted belief in the efficacy of "khutput," which tends daily more and more to demoralize the people of Baroda, and which, while it remains uneradicated, will inevitably bring forth a succession of Baba Nafras and Nursoo Punts, of Joitabaees and Moreshwer Fudkeys, to the scandal of the British name.

31. In drawing to a close the most arduous, the most humiliating, and the most painful task I have had to perform, during the 32 years I have had the honour to serve the East India Company, by requesting that the sentence passed on Baba Nafra by his Highness may be confirmed, I have only to beg that I be instructed to see that effectual measures are adopted to cause the delinquent to make good the large sums which it will be seen from my separate report, about to be submitted, he has embezzled from the firm, together with the value, as well of the jewels, which, it may hereafter be ascertained, have disappeared under his stewardship, as those which he obtained on loan from Joitabaee, and neglected to return.

32. I would beg, moreover, that when communicating to his Highness the Government confirmatiion of Baba Nafra's sentence, I may be authorized to state to him that Government only confirm that very inadequate sentence from a feeling of personal respect for his Highness, who has individually done all in his power to promote the elicitation of truth, from a disinclination to hurt the feelings of so amiable a Prince, by formally setting aside the decision of his court, and from a confident hope that his Highness will take effectual means to prevent a recurrence of conduct on the part of those invested by him with judicial functions similar to that displayed by the punchayets appointed to investigate Joitabaee's complaints in 1847 and 1850. I would further beg that I may be instructed to communicate to his Highness the deep regret of Government that the state of morals in his capital should be at so low an ebb as the history of Joitabaee's case proves them to have fallen, and the earnest request that his Highness will henceforth, with his best energies, and all the influences at his command, cooperate with them, and their local representative, in eradicating the dishonouring belief in the efficacy of "khutput."

Baroda, 31 March 1851. (signed) *J. Outram*, Resident.

Note.—The Appendices to this Report, marked (A.) to (N.), form separate Collections.—*Vide* pages 445–724.

— No. 2. —

MINUTE by the Honourable Mr. *Willoughby*.

1. THE voluminous proceedings in the case of Joitabhaee did not reach me till the 24th instant, and as I vacate my seat in council this day, I shall not be able to take part in the discussion to which it will give rise.

2. I very much regret that; because, from the cursory perusal I have been able to make of this letter and of Lieutenant-colonel Outram's Report on the case (the voluminous Appendices I have not been able even to look at), the subject appears to me to be one of more than ordinary importance, and deeply involving the character

character and honour of the Gaekwar government, and indirectly that of the British Government.

3. I shall only add, that *primâ facie*, and subject to the severe test to which it must be subjected to ascertain how far it is confirmed by the evidence on which it is founded, namely, that in the Appendices (which I repeat I have not had leisure to peruse) Lieutenant-colonel Outram has, in my opinion, made out a strong case, and that it really does appear that Joetabhaee is the oppressed woman he describes.

4. If this is confirmed by the patient inquiry which no doubt the Board will institute, and by a comparison of the text with the Appendices, then I trust all parties, whether British or Gaekwar subjects, implicated in these nefarious proceedings, will be visited with condign punishment.

5. I have hastily written in the margin of this letter and of the report a few observations which occurred to me on first perusing them. I request the chief secretary will have the goodness to embody them in a memorandum, and annex them to this minute. They are necessarily very imperfect, from not being founded on a consideration of the whole case, but nevertheless may be of some slight use to the Board in its future deliberations on the case.

6. I beg in particular to refer to the note at the commencement of Part II. of the Report, alluding to the point which most nearly touches the honour of Government, and in the satisfactory solution of which, as a member of this Government, I feel deeply interested: it is this: Government must clearly show how it was for so long a period induced to believe that Joetabhaee was a wicked impostor, endeavouring to palm off a spurious child obtained by purchase as her own son, to inherit a moiety of the vast wealth of Bechur Samul, instead of being the injured and cruelly oppressed woman now described by Lieutenant-colonel Outram, the victim of, perhaps, as foul and nefarious a conspiracy as was ever hatched. If the latter is clearly proved, I need not add that too much praise cannot be awarded to Lieutenant-colonel Outram for having with so much labour and zeal unraveled so intricate a plot, and thus enabled Government to afford all the redress the case admits of to the injured parties, and to visit with condign punishment all those who united together to ruin and oppress one entitled to our protection and support.

7. I have no doubt that our records will show that we were kept in ignorance of the real facts of the case by our representatives, and that trusting, when we had no reason to mistrust, the information they afforded us, we for a long time repelled all the strong appeals for redress which Joetabhaee made to us, under the impression, formed on the lights afforded us, that she was an impudent deceiver: several of my notes are particularly directed to this point.

8. If I am correct in this assumption, I think that both Lieutenant-colonel Outram and Captain French will find it difficult to exonerate themselves from blame in not having communicated to Government long ago the suspicions which had evidently arisen of the real nature of Joetabhaee's case before Lieutenant-colonel Outram's departure on sick certificate for Egypt. And if the case, as now represented, is clearly proved, a much greater degree of blame will attach to the latter officer. But on this point I will not enter further, except, that as his proceedings and political sagacity are so seriously called in question by Lieutenant-colonel Outram, I beg to refer to the discussion which took place on his nomination to the high office of Resident at Baroda, to which I was opposed, as I did not consider him qualified to fill it.

(signed) *J. P. Willoughby.*

28 April 1851.

— No. 2 A. —

NOTES by the Honourable Mr. *Willoughby* on the Letter from Lieutenant-colonel *J. Outram*, C.B., Resident at Baroda, dated the 31st March 1851, No. 47, on the case of *Joetabhaee*, the Widow of the late *Samul Bechur*.

REMARK at the end of para. 5.—This requires to be carefully looked into. It is certainly most strange that Government was so long deceived, and kept in

ignorance of the nature of the case. For this the Government were not to blame, for it could not, unless suspicion were roused, but put faith in the reports of its officers. Those reports from the beginning should be very carefully collated.

Remark at the middle of para. 6.—Quite true.

Remark at the end of para. 6.—Quite wrong. How have they, or how could they have influenced Government? I can only for my part say I have not held communication with any native regarding Joetabaee's or Nursoo Punt's cases. An agent of Baba Nafra's sought an interview; but I refused to see him, and did not see him.

Remark at the end of para. 9.—This would be a proper order.

Remark at the middle of para. 13.—An explanation here seems necessary. These paras. 13, 14, 15, 16, and 17, should, I think, be sent to Captain French for his reply, and he should be peremptorily prohibited from all intercourse with Baba Nafra's agents, and from in any way interfering with the case, or with any matters connected with Baroda.

Remark at the beginning of para. 14.—Ditto, ditto.

Remark at the middle of para. 17.—This ought most certainly to have put Captain French on his guard, and have induced him carefully to inquire into Joetabhaee's case.

NOTES by the Honourable Mr. *Willoughby*, on the Report on the Case of *Joetabhaee Setanee*, forwarded with Lieutenant-Colonel *Outram*'s Letter, dated 31st March 1851, No. 47.

REPORT on the Case of *Joetabhaee Setanee*.

Introductory Remarks.

REMARK in the middle of para. 1.—Of this there can be no doubt.

Remark at the end of para. 10.—The accused, I believe, assert they, or at all events some of them, are the reverse. The real fact should be ascertained.

Remark in the middle of para. 11.—If Baba Nafra is really guilty, I would certainly not mitigate the sentence, which in that case is not too severe, but, on the contrary, too lenient.

Remark at the beginning of para. 17.—In this person's case my views very materially differed from those of the majority.

Remark at the middle of para. 17.—I am not at this moment aware of the final result of this inquiry, which was entrusted to Captain H. Barr, in communication with Lieutenant-colonel Outram. Captain Barr frequently consulted me on the subject, and received from me all the aid it was in my power to afford, by advice and otherwise.

Remark at the middle of para. 17.—*See* note to para. 6 in Lieutenant-colonel Outram's letter of the 31st March.

Remark at the end of para. 17.—The references drawn by the natives of Baroda are totally erroneous and scarcely deserving of the importance Lieut.-colonel Outram attaches to them. I would suggest that a tabular statement be drawn up of the different petitions presented by both parties, their dates and date of receipt, and how disposed of. What is said of Joetabhaee's may perhaps be accounted for by the tenor of the reports Government received from its local officers.—[*See* my note to para. 6 of Lieutenant-colonel Outram's report of the 31st March.]

PART II.

REMARK at the beginning of para. 1.—This is undoubtedly true and correct. It should be clearly shown in what manner Government were led to believe that Joetabhaee was a wicked impostor, who had endeavoured to palm off a spurious child as her own to inherit a moiety of the vast wealth of Bechur Samul, instead of being the injured and oppressed woman now represented, the victim of, perhaps, as foul and nefarious a conspiracy as was ever hatched. If the latter is proved, too much praise cannot be awarded to Lieutenant-colonel Outram for having with so much labour exposed and brought it to light, and thus enabled Government to afford all the redress in their power to the injured party, and to mete out due punishment to her opponents.

Remark at the middle of para. 2.—This is all very strong presumptive proof in favour of the legitimacy of the child; but I presume was unknown to Government at the commencement of the case.

Query at the end of para. 3.—Was this the first notice of the case Government received, or how did it first come to the knowledge of Government?

Remark at the beginning of para. 6.—Government did all that was necessary at this stage in referring the appeals to Lieutenant-colonel Outram for report. This is the usual and invariable course pursued on such occasions, and, in fact, the only one which can preliminarily be adopted.

Remark at the beginning of para. 8.—True; but at this time altogether unknown to Government. On the contrary, we had Mr. Andrews' report, giving strong *primâ facie* grounds for the opposite belief.

Remark in para. 14.—I am not satisfied that in so serious a case this was the correct course. A direct, or at all events a joint inquiry was called for, and might have been justified.

Remark at the beginning of para. 15.—This is not a satisfactory explanation. Did the Resident communicate these impressions to Government, and thus rouse its suspicions?

Remark at the middle of para. 16.—The first petition was referred on the 23d July. Was the delay of the beginning of the inquiry until late in November reported to Government?

Remark on para. 17.—Was this report of such a tenor as to excite the suspicion of Government that Joetabhaee was an oppressed woman?

Query about the end of para 18.—What was done upon this communication? With the lights we now have, it is to be regretted that the inquiry was not taken out of the hands of the Gaekwar. But had the Resident at this time indicated his suspicions, and advised Government on the subject?

Query at the end of para. 21.—What measures did the Resident adopt on this? Did he report to Government?

Query at the middle of para. 22.—Why not? The family had our guarantee, and were entitled to justice and protection from oppression.

Query at the end of para. 24.—Was any report made to Government?

Remark at the end of para. 26.—This was highly improper, and a proof of obstructing justice.

Remark at the beginning of para. 31.—It is much to be regretted that Lieutenant-colonel Outram was obliged by ill health to leave Baroda at this time; but had he ever given Government reason to believe the foul play which he himself long before his departure suspected was going on?

Query at the beginning of para. 35.—Did Lieutenant-colonel Outram communicate his views to his successor, and his suspicions in the case so strongly excited?

Remark at the end of para. 39.—Why so? All that was required was a fair and impartial trial to elicit the truth.

Remark at the end of para. 42.—This was a very proper direction.

Remark at the end of para. 44.—Under the information then before it, this was not a wrong step on the part of Government, the assent of both parties being the condition.

Remark at the beginning of para. 55.—I am not certain whether these proceedings had been reported to Government.

Remark at the end of para. 55.—I do not think it so certain that there would have been no appeal on good grounds shown.

Remark at the end of para. 57.—I think Joetabhaee's request was reasonable, and that it ought to have been complied with within moderate limits.

Remark at the beginning of para. 58.—I agree.

Remark at the middle of para. 58.—I agree.

Remark at the middle of para. 58.—Certainly.

Remark at the end of para. 58.—I concur generally in all the remarks in this paragraph.

Remark at the beginning of para. 59.—And I disagree in the propriety of this reply, especially the threat at the close.

Remark at the end of para. 60.—This wild remonstrance seems just and reasonable. Her father being an imbecile, was not a fit person to conduct the case.

Remark at the beginning of para. 61.—This was throwing Joetabhaee entirely into the hands of the durbar, who, there is now great reason to believe, was in the interests of the opposite party, but more especially H. H., the late Seeagee Row Gaekwar. The present Gaekwar seems blameless.

Remark at the middle of para. 62.—I concur in these remarks.

Remark at the middle of para. 66.—This part of the case seems made out.

Remark at the beginning of para. 67.—Very suspicious.

Remark at the end of para. 68.—This certainly goes far to prove that Captain French was not in ignorance of the real state of the case, and he ought undoubtedly to have made a strict inquiry.

Remark on para. 72.—This report ought not to have been made except on the best and surest foundation, but how could Government instruct an officer holding the high office Captain French did, except on strong grounds, which at this time certainly did not exist.

Remark at the beginning of para. 75.—Our records of 1843 should be referred to, and the real facts connected with this interdict and its withdrawal set forth.

Remark at the middle of para. 77.—This places the intolerable nature of the grievance in a strong, and, as far as I can judge without consulting the Appendices, unanswerable light.

Remark at the end of para. 81.—I concur in these remarks.

Remark at the beginning of para. 82.—I am not sure, but I think I objected to Captain French's suggestion at the time. At all events, I have on more than one occasion resisted his proneness to get rid of these troublesome guarantees at the expense, as I conceived, of our good faith.

Remark in the middle of para. 83.—The reasoning in this para. seems strong and conclusive.

Remark in the middle of para. 84.—If I recorded a minute on this subject, I should wish it to be entered as a note here.

Remark at the beginning of para. 85.—I equally condemn them in principle; but they are existing and necessary evils, and their origin ought not to be, as is so frequently the case, lost sight of.

Remark at the middle of para. 88.—Government and the Honourable Court acted

acted in good faith, on the supposition that the case had been carefully inquired into, and correctly reported by its local representative.

Remark at the end of para. 94.—The freest and most confidential communications ought to have been allowed between the vakeel and his client.

Remark at beginning of para. 96.—He was bound to read the whole, whatever might have been its tenor.

Remark at the middle of para. 97.—This appeal from one entitled to our protection ought not to have gone unheeded; but the acting Resident did not condescend even to read it.

Remark at beginning of para. 108.—This was very wrong, a denial of justice, &c.

Remark at the end of para. 110.—Wrong, very wrong.

Remark at the end of para. 114.—This presses forcibly against the acting Resident, and requires explanation.

Remark on para. 123.—This was certainly calculated to blind Government.

Remark at the middle of para. 125.—Of course Government could, if the man were really guilty.

Remark at the middle of para. 126.—A point to be determined on by custom. There are no doubt certain ceremonies to be performed in the fifth and seventh months of pregnancy, called Punch and Subinasa; but there may be exceptions in particular cases, and under particular circumstances.

Remark at the end of para. 126.—I quite concur in this.

Remark at the beginning of para. 136.—In what terms? Did Lieutenant-colonel Outram write in such a way as to excite the suspicions of Government?

Remark at the end of para. 138.—Then of course Government could scarcely have done otherwise than sanction the arrangement.

Remark at the end of para. 141.—This order was a very proper and natural one.

Remark at the beginning of para. 149.—A strong fact in favour of Joetabhaee's case.

Part III.

Remark at the middle of para. 4.—This is scarcely correct.

Remark at the middle of para. 12.—If the case is proved as now represented by Lieutenant-colonel Outram, this man, and all others concerned in these nefarious transactions, should be severely punished, and prohibited access to the Residency. Lieutenant-colonel Outram should report how Government could best testify its displeasure.

Remark at the beginning of para. 16.—These men must be viewed in the light of approvers, or Queen's evidence.

Remark at the beginning of para. 16.—This was an undesirable step.

Remark at the middle of para. 16.—I think the Resident should now have taken up the case himself as a regular judicial inquiry, in the presence of all parties, accused and accusers, and think it is to be regretted he did not do so.

Remark at the end of para. 29.—This treachery, if proved, should be most severely punished.

Remark at the end of para. 30.—On what grounds?

Remark at the end of para. 31.—A very important feature of the case requiring strict examination.

Remark at the end of para. 32.—How is this proved?

Remark at the middle of para. 40.—Of course the whole case depends on the truth

truth and credibility of this large mass of evidence, which I have not even perused, but which must be closely sifted and scrutinized.

Remark at the middle of para. 42.—A very important fact.

Remark at the end of para. 43.—The whole case, I repeat, mainly hinges on this fact, that Joetabhaee was really delivered of a son, and that that son was the offspring of her husband.

Remark on para. 44.—Here Lieutenant-colonel Outram adopted the mode in which I think the whole inquiry ought to have been conducted.

Remark at the end of para. 46.—The case as now represented would have fully justified departure from official etiquette.

Remark at the beginning of para. 49.—Apparently strong and conclusive.

Remark at the beginning of para. 55.—The Gaekwar, if the case is proved, should be strongly advised to punish all parties concerned in this nefarious plot.

Remark at the beginning of para. 62.—Lieutenant-colonel Outram's promise of protection would have shielded them.

Remark at the end of para. 62.—Government refused, under the reports of its local representative, who it could not mistrust, until suspicion was excited.

Part IV.

Remark on para. 2.—Of course Government will be rejoiced that so much villany, if it has been committed, has been brought to light, and will give due credit to the officer who has exposed it.

Remark at the end of para. 9.—This requires to be carefully looked into. The Committee laboured under the disadvantage of conducting the inquiry long after the alleged birth.

Remark at the middle of para. 23.—Qui s'excuse s'accuse.

Remark at the end of para. 26.—This testimony to the honest conduct of the present Guicowar is extremely satisfactory.

Remark at the beginning of para. 27.—The Gaekwar should be requested, if the case is proved, to visit one and all with his severest displeasure.

Remark at the middle of para. 27.—Certainly not, if he is found guilty, or rather if the conviction is affirmed.

Remark at the end of Part IV.—On this section I shall only remark, that *primâ facie* it is forcible and strong, but requires, like all the others, to be carefully compared with the Appendices on which it is founded. Admitting that the guilt of the parties referred to is established, the concluding recommendation does not go far enough; but, as I have already suggested, his Highness the Gaekwar should be earnestly and urgently exhorted to visit all the parties, his subjects, who are implicated in these nefarious and unprincipled transactions, with suitable punishment, as the best mode of checking the corruption and dishonesty which prevails at Baroda. We are bound to give this advice to our ally, and to afford all the redress in our power to Joetabhaee, if she has been really oppressed in the manner described.

(signed) *J. P. Willoughby.*

(True copies.)

(signed) A. Malet,
Chief Secretary.

28th April 1851.

— No. 3. —

MINUTE by the Right Honourable the Governor, dated 10 November 1851. No. 911 C.

1. THE direct and avowed object of this voluminous report is to induce the Government to confirm in its integrity a sentence of confinement in irons, and a fine of 15,500 rupees, passed by a punchayet assembled at Baroda upon one Baba Nafra.

2. This individual was the managing gomashta of the firm of Hurree Buktee, and has been convicted upon the first of the three following charges, and in part upon the third:

1st. With having bribed certain koolies belonging to the British village of Metapoor falsely to assert that Joetabhaee, the younger wife of Beichur Samul, had purchased from them a boy which she had passed off as the posthumous child of her deceased husband, with a view to defraud the other widow and child of the deceased banker.

2d. That he had suborned false witnesses to assert that the first spurious child having died, Joetabhaee, with a fraudulent intent, supplied its place by another boy purchased from koolees of Amleeara, a village situate within the Gaekwar territory, but the property of the firm of Huree Buktee, of which he, Baba Nafra, was the managing agent, and over which he exercised absolute control. This count was pronounced not proven.

3d. That he had procured the forcible abduction of the boy whose spuriousness he had thus endeavoured to establish by the subornation of perjury; and as the abducted boy had died while in the hands of certain Arabs to whose custody he had been consigned by Baba Nafra, it was further left to the punchayet to determine whether, in addition to the crimes of conspiracy, subornation of perjury, and abduction, the Baba had not been guilty of the heinous offence of compassing the child's death.

3. The prisoner, as I stated, was found guilty of the first charge of bribing the koolees of Metapoor, and of having caused a false deed to be written. On the second charge the punchayet were not convinced that Joetabhaee had borne a child to her deceased husband Beichur Samul, and returned a verdict of not proven. Upon the third they found Baba Nafra guilty of the forcible abduction of a child from Joetabhaee, without, however, declaring that child to have been hers.

4. It might have been deemed sufficient had Colonel Outram submitted the proceedings on this extraordinary case to Government in the usual course, with a clear and concise memoir, exposing the dark intrigues of which he believed Baba to have been guilty towards his mistress, and which had in part been proved.

5. It appears to me that no more would have been required to induce us to refrain from interfering in a sentence passed upon a subject of our ally the Gaekwar by a court appointed by that prince.

6. Colonel Outram has, however, judged otherwise. He openly proclaims his fears lest the Baba's influence should ultimately be exercised upon the members of this Government (for such is the plain meaning of his words), and lead to our mitigating the sentence.

7. To prevent this dreaded consummation, he has traced and exposed the frauds and deceitful policy of Baba with astonishing industry and minuteness.

8. Whether he have fathomed all the mysteries of these perplexing and obscure intrigues, I am inclined, for reasons which I shall hereafter allege, to doubt; but he has done enough to have entitled him, but for certain considerations which I shall presently mention, to our unqualified approbation for the sympathy which he has shown for a persecuted woman, for the protection which he has extended to her, and for the contest which he has sustained in her behalf with all the corrupt influences of a native court.

9. The consideration which leads me to qualify my approbation is the highly objectionable manner in which Colonel Outram has thought fit to place his

researches before Government, the terms he uses, and the reasons he assigns for using them.

10. These, in fact, are so phrased as to convey an ambiguous meaning to those who are ignorant of the facts of the case, and may, whether intended to be so understood or not, be thought to imply a covert accusation of the Government for the part it has already taken in Joetabaee's case.

11. Colonel Outram has divided his report into four parts. The first contains the introductory remarks, which, in my opinion, expose Colonel Outram to the charge of disrespect, as I shall endeavour presently to show.

12. The second professes to contain the history of the case of Joetabhaee Setanee to the commencement of the investigation conducted by Lieutenant-colonel Outram.

13. The third comprises the revelations made to Colonel Outram at the Residency, by certain parties to the intrigues carried on against Joetabhaee.

14. The fourth, a sketch of the proceedings of the punchayet.

15. It is the first of these sections with which we have to do at present.

16. Colonel Outram considers the sentence passed by the punchayet upon Baba Nafra as quite inadequate, and to be owing to a culpable sympathy with the culprit on the part of the court, composed of the culprit's own friends. He believes that he has satisfactorily demonstrated that Joetabhaee was the real mother of the abducted child, a point on which I shall have subsequently to offer some remarks; and he states as the reason for entering into the case in such detail, his desire to prevent any clemency being shown to the convicted Baba Nafra in mitigation of the sentence. Such a result would be attended, he believes, " with the most calamitous moral and political consequences," by confirming the prevalent idea that Baba Nafra possesses some mysterious influence in Bombay.

17. Colonel Outram goes on to tell us, that Baba Nafra, unprincipled and unscrupulous as he has depicted him, had aspired to bribe our late colleague, the Honourable Mr. Reid. In the following para. (16), he brings forward the belief so prevalent as he assumes it to be at Baroda, that the higher officers of Government are not inaccessible to corrupt influence, as a full justification of the excessive length of his report; not only this, but as supplying, in his opinion, a valid reason why the report should be attentively studied ere Government do aught that might be indirectly construed into a confirmation of the popular belief.

18. Is not this palpably to convey the expression of Colonel Outram's opinion, that Government would most probably act in this case so as to confirm the popular belief, if he did not take this extraordinary measure to prevent them? And does not this convey an indirect accusation that we were likely to act on this report without having made ourselves sufficiently acquainted with its contents?

19. He next proceeds to enumerate the decisions of Government in other cases, which, in his opinion, afford examples why such a belief should exist; and finally he concludes the list with these remarkable words, in which (as if he had not already said sufficient to cast a censure upon the proceedings of Government), he states, without a word of explanation, what is unquestionably true in itself, but phrased in such a manner as directly to impeach the conduct of Government on the present remarkable case.

20. Additional confirmations, he observes, (to the prevalent belief in the dishonesty of high Government officers at the Presidency), have been derived from the fact, that during the whole of the persecutions of the unfortunate Joetabhaee, Government never, in one way or other, interposed to secure a mitigation of the harsh treatment she suffered, though oft and loudly importuned by herself and her mother; while, on the other hand, no sooner was Baba Nafra placed in custody, prior to trial, than Government hastened to express a hope that he would receive good usage.

21. This language, I regret to remark, like that which preceded it, can hardly be read otherwise than as a direct accusation. It is no reply to say that censure

is

is not intended; that blame is not imputed to Government, but to the parties by whom Government has been misled. This may be all that the writer intended, but I believe no one who reads the above, in connexion with the rest of the first section, can be sure that this is all he means. A casual reader would construe it far otherwise.

22. In short, were the assumption that Joetabhaee has been harshly used at the hands of Government maintainable upon the facts of the case, still the general tone of this section cannot be viewed otherwise than as most improper and unbecoming when addressed to his Government by an officer in Colonel Outram's position.

23. One of the least objectionable consequences of such a proceeding is, that it in a manner obliges the Government to stand upon its defence. But the grave responsibility which a subordinate incurs who places his Government in such a position as to feel it necessary to defend its acts, must be enhanced tenfold if it be shown, as I shall presently show, that in the case in question there has not been a single act or order on our part which affords the slightest pretext for animadversion.

24. Colonel Outram, it is true, in his 18th para., expresses his implicit faith in the honour and immaculate purity of the Government, which he is pleased to add that he esteems and honours. What he says of the conduct of Government, and the low dishonesty imputed to it, is not the less calculated to impress those who have access to this Report with a different notion.

25. I cannot, on the other hand, omit to notice that these extraordinary remarks as respects their avowed object of influencing the conduct of Government are not less unbecoming. They not only openly denounce as pregnant with mischief and injustice a decision differing from that at which Colonel Outram has arrived, but they appeal to considerations as properly influential, which are altogether alien to justice, and which, in a case of this nature, could only influence the weak or the really corrupt.

26. We are, in short, strongly and directly urged, in the 17th para., to confirm the sentence passed upon Baba Nafra, not because it is right and just, but because, if we were to modify or annul it, we should be suspected of acting wrongly.

27. Colonel Outram has failed to perceive that suggestions like these are alike wanting in respect and decorum, because, to suppose that they could possibly exert an influence upon our decision, is to suppose that the public belief on which they profess to be based has some solid foundation.

28. Fortunately, as Colonel Outram may consider it, the guilt of Baba Nafra is too clearly established; if not to the extent believed in by the Resident, at least to a degree which would necessarily preclude any desire to interfere with the sentence of the Gaekwar's Court, the judges who passed it being, as we are informed, the Baba's personal friends.

29. But I will not permit equivocal remarks upon the conduct of Government in such a case as that of Joetabhaee to remain on record unrefuted.

30. The machinations from which she is said to have suffered so directly challenge our best sympathy, that I should be sorry to think they had been encouraged or prolonged by any act or omission of ours which could expose us to the charge of unfairness, or to the scarcely less blameable imputation of neglect.

31. It is an agreeable duty to demonstrate, that not in a single instance has an order been given by this Government which, on restrospection, is found to have been inconsistent with the rule of the Government in similar instances, and with the equity of the case, as at the time apparent from the representations of our only possibly advisers and informants, the several Residents, and from the best evidence at our command.

32. It is not, however, so satisfactory to discover that, severely as Colonel Outram has censured in this Report his successor, Captain French, for the part he pursued towards Joitabhaee, he is himself answerable (I say it with regret) for much of that lady's sufferings.

33. Before I enter upon the inquiry which I propose to make into the conduct of Government and its officers, with reference to Joitabhaee, I desire to record a few preliminary observations.

34. I have first to express my astonishment that an officer of any political experience in this country should have used the language which Colonel Outram has employed in commenting in the belief in the efficacy of khutput, which he tells us is so prevalent in Baroda. The Resident's remarks distinctly imply that the Government has occasioned this belief by their unfair decisions, and that, but for such decisions, no such belief would have been current.

35. As if faith in what is termed khutput were not in the very nature of things inseparable in the ideas of an Asiatic from the possession of power which he believes to be absolute.

36. A very slight acquaintance with mankind might have convinced Colonel Outram that where the interests, lives, and fortunes of the subjects depend upon the will or caprice of an absolute monarch, subject to the influence of those who surround him, men who have any object to attain will endeavour to secure that influence, rather than trust to the abstract justice of their cause, and that no laws can be devised that will eradicate the practice. Nor is it less certain that the native who has found the practice conducive to success within the sphere of his own experience will with difficulty be brought to believe that it is not of universal efficacy, or that, partial to low intrigue himself, he will be induced to give credit, at the expense of his own self-estimation, to the existence, either in individuals or in the governing body, of those sentiments of purity and honour which are characteristic of an English gentleman.

37. Colonel Outram's acknowledged rectitude of conduct will necessarily exert a favourable influence upon those natives who are habitually brought into communication with him; but I fear that he lays himself open to the charge of credulity, if he can suppose that the subjects of a native state like Baroda can be generally induced, by any acts of his or of any other officers of Government, to disbelieve the efficacy of khutput all over the world.

38. The difficulty of combating native notions on a point like this is not inaptly illustrated by Colonel Outram's own experience. An attempt was made to prove that the origin of the generous interest which he has taken in Joitabaee's behalf was "the receipt of an enormous bribe." The attempt shows the value set upon personal honour by the people of Baroda.

39. Men do not suborn evidence to prove what all the world would disbelieve.

40. I can well imagine that Colonel Outram views such a report with the scorn it deserves, and that his concern is truly and honestly for the honour of his Government; but, once for all, I affirm that unless Government had, in his opinion, laid itself open to the imputation of deliberate unfairness, from motives of favour and affection, or upon still baser considerations, the tone and nature of his observations on the opinions current in Baroda, upon the efficacy of khutput, are altogether as irrelevant as they are unbecoming.

41. The peculiarities of the present case will next require to be briefly noticed.

42. I need scarcely call attention to the fact that a subject of the Gaekwar possessing our guarantee is not the less a subject of his own Government. All that he can claim from us is protection from injustice on the part of his prince, whose proceedings, or the proceedings of his court, in the case of a guaranteed party, can be brought on appeal before the Resident.

43. It must be obvious, as the direct consequence of this most inconvenient and embarrassing of relations, that every act of direct interference on the part of the Resident will be regarded by the prince and his subjects with a jealousy as natural as it is intense; that every appeal to the Resident, on the other hand, by a guaranteed subject, will be viewed as an act of rebellion against his lawful prince. It also follows, from the nature of the connexion, that the superior Government at the Presidency, upon whom the ultimate disposal of every case may devolve, must be left entirely at the mercy of the Resident, whose authority

and

and opinion, except under very extraordinary circumstances, it is almost compelled to support.

44. What other means of information are indeed at our disposal, or how can we possibly act on the statement of the parties themselves, or confide in the fidelity of representations which are not vouched for by the same Resident?

45. So long as the guarantee system remains, we must be subject to these difficulties. Knowing this, Colonel Outram should have hesitated before he used the language which I have quoted in a previous place, so worded as to impute, or at least to seem to impute, partiality and favouritism towards Baba Nafra on the part of this Government.

46. I now proceed, according to my promise, to a strict review of the part taken by Government in these transactions. This review I shall divide into,

1st. The period from the commencement of the dispute to the departure of Colonel Outram on sick certificate from Baroda.
2d. During Captain French's agency.
3d. Subsequent to Colonel Outram's return.

47. My own conclusions on the case, arrived at after a very careful study of the Report and its accompaniments, will close this paper.

48. For the length of it I shall not apologise, since, whether we regard the quarter from which the Report proceeds, the extraordinary facts brought forward, and the questionable value of the evidence taken, the severe censures passed upon Captain French, the officer who acted for Colonel Outram during the period of his absence, or the unfavourable impression which the Report is calculated to have upon the mind in regard to our proceedings (which should be shown to be free of stain or reproach), I do not think that a few desultory observations would be proper or sufficient.

49. The very opinion we may form of the transactions in which the case originated, and the final decision at which we may arrive, will necessarily be received with some qualification, unless we place on record a clear, consistent, and satisfactory detail of the part which we have ourselves taken in them.

50. From Mr. Andrews' original memorandums, dated the 22d March and the 14th April 1847, we first became acquainted with the occurrences at Baroda connected with the house of Hurree Buktee, which have led to all the subsequent proceedings, but in which the Gaekwar had not interfered, nor had any parties preferred complaints at the Residency.

51. Current report averred that the child of Joetabhaee, the younger setanee, had been ascertained to be spurious, and had been taken from her; that she had been confined, and had given a written confession of the fraud; that her father, Banabaee, had in consequence been turned out of caste and the child given to koolies who claimed it; that Baba Nafra, the managing gomashta of the firm, who had acted in the affair in a most authoritative manner, and was supposed to have the concurrence of the Gaekwar in what he did, must have known from the first that the child was not Joetabhaee's.

52. Her mother was stated by Mr. Andrews, in these memorandums, to have first gone to the palace to complain, and afterwards to have escaped.

53. When they were received, the members of Government present were Sir G. Clerk, Sir W. Cotton, and Mr. Reid. They decided very consistently with right and usage, that the memorandums were not to be noticed until a guaranteed party preferred a complaint.

54. It was in April, not long afterwards, when the first direct appeal on behalf of Joetabhaee was submitted. One Ramdass Mooneedass addressed a petition to Government, dated the 3d May 1847, containing a very clear account of intrigues stated to have been put in motion by Baba Nafra to ruin his mistress. This petition not being preferred by a principal or by a party directly interested, was, according to the invariable usage of Government in the like cases, returned to the writer.

55. A petition from Joetabhaee herself was referred for report to Colonel Outram on the 23d July. This officer had assumed charge of the Residency on the 26th May. On the 4th of November following he was requested to expedite

his report, and again on the 29th. Immediately he addressed to Government his first letter on the subject, dated the 26th November. In this letter we were informed that the inquiry into the circumstances had been deputed by his Highness to a Commission consisting of

Gopall Row Myral.	Trimbuck,	Shastrees.
Meer Surfraz Ali.	Bapoo,	

56. He requested that Larbaee, Joetabhaee's mother, might be sent to Baroda, and also the petitions made by her and her daughter to the British Government. Colonel Outram promises in this letter to forward the correspondence and report, together with the proceedings of the Commission, when the investigation had terminated.

57. A second and final letter on the subject was received from Colonel Outram, dated the 21st January 1848, submitting a request from the Durbar that Larbaee, who had not arrived at Baroda, might be ordered to proceed there, which she was peremptorily told to do.

58. This is the last communication on the subject from Colonel Outram, who left Baroda to proceed to Egypt on sick certificate on the 12th September 1848.

59. In the interim much correspondence had passed between Colonel Outram and the Durbar, which was subsequently forwarded to Government by his successor, Captain French, who assumed charge of the Residency on the 2d November 1848, nearly two months after his predecessor's departure.

60. I am here compelled to call the particular attention of my colleagues to these facts. Colonel Outram has now given us to understand that he suspected foul play on the part of the Durbar Court long before he quitted Baroda. But he could not interfere, as he would otherwise have done in Joetabhaee's behalf, because, as he alleges, all the principals were subjects of his Highness, and could only come before the Resident as appellants (14). He believed "that from no tribunal the Durbar could appoint was strict justice to be looked for on the part of Joetabhaee," 15 para. The translated proceedings of his correspondence with the Durbar at this time, and his report, Part II. para. 37, certainly show that he used his best efforts to bring the proceedings of the commission of inquiry to a close, bearing patiently with obstructions on the part of Joetabhaee herself, persuading her mother Larbaee to submit to examination, urging the Durbar to excuse her seeming want of respect, and to take her evidence, and interfering to procure for Joetabhaee some amelioration of the hardships to which she was exposed.

61. Paragraphs 28 to 30 of the Report, Part II., which notice the communications on the 4th and 6th September 1848, between Joetabhaee and his Highness demonstrate the pains taken by Colonel Outram to ensure Larbaee a fair hearing. In his yad of the 6th, he reiterates the request made in his yad of the 4th, the motive of which is now stated to have been "to afford my successor an impregnable ground on which to take his stand in insisting on the examination of Larbaee being taken, and the inquiry brought to a close." No reply was received to this, adds Colonel Outram, till the 16th September, four days after I had left Baroda.

62. When we come to examine the correspondence of the Resident at this period with the Durbar, in connexion with his present report, we are at a loss to understand how, with his opinions, he failed to leave on record for the guidance of his successor, or to communicate to Government the strong suspicions which he states that he entertained that the punchayet did not act fairly to Joetabhaee.

63. He left Baroda without a sign, without a word to intimate his suspicions or intentions either to Government or his successor. To the latter he bequeathed indeed a mass of correspondence with the Durbar in part translated. But that he entertained a suspicion of unfair play, can hardly be deduced from a close study of these papers, and would certainly not be suggested by a casual perusal of them.

64. He appears, however, from this Report, to have been clearly aware, even previous to entertaining these suspicions, of the endeavours which the punchayet were making to defer the completion of the case till after his departure. His avowed object was to get Larbaee's deposition taken, the proceedings closed, and the whole case transferred to the Resident. Government also, I have shown,

shown, had repeatedly called upon him for his report on the case, and was in total ignorance of every thing that had occurred, or was occurring. Desiring, as he did, that justice should be secured, and suspecting, as he did, that measures were in progress to thwart and prevent it, there was no course so obvious, and which gave such direct promise of good results as to have communicated his opinion in the case to Government, and to have left a clear abstract of what had taken place, and of his suspicions and intentions, for the information and guidance of his successor.* It is to the neglect of this evidently necessary precaution that I am compelled to attribute the ill success which attended Joitabaee's efforts to secure a fair inquiry, and much of her subsequent sufferings.

65. Had such a record been placed before him, who can suppose that Captain French would have thought it right to substitute for an inquiry brought almost to a close, and which he could, if unjust, have set aside and rectified, new proceedings, and a new court, the most influential members of which were the same biassed and unfair judges who had so long trifled with the inquiry and with the patience of the Resident, and whose award would now be final.

66. There was, indeed, on the face of the proceedings left behind him by Colonel Outram no evidence of the intention of the punchayet to behave unfairly, so distinct as to be apparent to a stranger to the case. Whatever conviction those proceedings might have suggested to one who had watched them from the commencement, there was nothing in them that I can see even to induce a suspicion on the mind of Captain French that he was doing Joitabaee an irreparable injury, in recommending that the matter should be settled by a punchayet, to whose decision the parties were bound to agree, or to lead him to believe that the parties about him were endeavouring to cajole and use him as their tool.

67. A brief record from Colonel Outram of the grounds which he had for suspicion would in a great measure have protected the new comer against the intrigues going on around him, both at the Durbar and the Residency.

68. Colonel Outram's departure, without a report to Government or a line of explanation to Captain French, was therefore, I must repeat, a very serious error of judgment.

69. Under the disadvantages of this omission and want of accurate information, as well as under the pressure of public business, which necessarily follows the arrival of a new head of an office after an interval of non-residence, Captain French addressed to Government his letter of the 15th November 1848.

70. Colonel Outram has severely commented upon his letter, and the proceedings to which it gave rise; we must therefore inquire with what justice.

71. It is, however, my present purpose to comment upon Captain French's proceedings, as they regard Joetabhaee. It is his report to Government that I now have to consider.

72. It must be borne in mind, that since the 21st January 1848 the Government had not received a line from the Resident, Colonel Outram, on the subject of Joetabhaee's case. Captain French's letter of the 15th November following was the earliest information furnished subsequent to the date of that despatch. The Government had been left by Colonel Outram without any intimation of the

* I purposely abstain from noticing Colonel Outram's remarks in the 17th para. of his letter: "Before leaving for Egypt, I mentioned Joetabhaee's case to Captain French, as one that would require considerable vigilance, with a view to defeat the intrigues of Nafra and Nursoo Punt;" for I am assured that Captain French has not the slightest recollection of any such warning having been given, though he remembers having had an interview with Colonel Outram previous to his quitting Bombay for Egypt, in which the latter spoke to him on a variety of subjects, and Captain French supposes that he then may have spoken on this, as Colonel Outram states that he did mention his suspicions.

It is evident that Colonel Outram expected too much if he imagined that a desultory conversation of this nature, mixed up too as the subject was with other matter, would have left a lasting impression on Captain French's mind; but it is too clear that Colonel Outram had no business whatever to trust to such a verbal allusion to a supposed intrigue, and that the admission that he made it convicts him of a very serious want of discretion. He should have made it officially to Government, as well as to his successor.

the progress of the case, or any clue to guide them, or arouse suspicion precisely as Captain French had been. Whatever faults may be imputed to the latter gentleman, it cannot be said that he slumbered on his post. He took charge of the Residency on the 2d, and his first letter is dated the 15th November.

73. He represented that the case was undisposed of, and seemed as far from an amicable settlement as ever.

74. He deprecates the hearing of the parties through hired vakeels, "whose object must be to embroil all;" he spoke of subterfuges and evasions on the part of Joetabhaee and her parents, and after stating his impression, derived from experience, that few, if any, disputes connected with the banking houses adjudicated through us, or by our instrumentality, had held good, he proposed that a punchayet should be appointed, each of the widows (then adversely disposed) naming two members, and conjointly a fifth.

75. What course remained to Government under such a report as the above, totally unapprised as we were of the sentiments Colonel Outram now informs us he at that time entertained, but to sanction the measure proposed? The point to which the inquiry had advanced under the native commission during the residence of Colonel Outram did not necessarily approximate to an immediate and final decision. The information furnished by Captain French led directly to the conclusion that no material progress had in reality been made; the proposition seemed in itself to be reasonable; and, though it was foreseen and remarked that it would be exceedingly difficult to convene a punchayet who would act with strict impartiality, yet it was clearly very desirable to avoid, if practicable, a direct inquiry on the part of Government into a family dispute of this nature.

76. The Government, therefore, assented to the suggestion in a letter of the 18th December 1848. If it were mistaken in this acquiescence, the fault must rest between Colonel Outram, who had neglected to state what he knew, and believed, and Captain French, who had stated what he did not positively know, although he believed what he stated.

77. Of the translated accompaniments to Captain French's letter, I would notice particularly Nos. 19, 20, 28, 29, 42, 47 and 48. It is very difficult to suppose that Captain French had not read these papers, and was not aware of all that had previously taken place. But they contain nothing to satisfy the Government of the unsoundness of Captain French's assurances, or that the proceedings of the commission appointed by his Highness should in effect have terminated with the taking of Larbaee's evidence.* The impression their perusal leaves on my mind is simply this: 1st, that they manifest a sturdy resistance on the part of Joetabhaee to the commission appointed by the Durbar, and a leaning on the Resident for support. 2d, that the Gaekwar was nettled at this summary denial of his authority by his own subject, and complained to the Resident, who took no notice of his complaints, but did his best to remove objections and assist Joetabhaee. As to Larbaee, Captain French may have regarded in a far different light from Colonel Outram, what the latter terms in para. 34, Part II. of his report, the "most touching evidence of her confidence in British honour, in refusing to detail the evidence in her possession, and which she intended to adduce when the case came under appeal at the Residency."

Larbaee had, in fact, not given her evidence, and it is rather too much to expect the Gaekwar court to admit such a reason for her refusing it.

She had complied in form, but not in substance. Colonel Outram seems altogether to overlook the fact that the Gaekwar court was the court of trial,

* *See* particularly No. 47, a yad from Joetabhaee, dated the 14th February 1848: "I cannot approve of the proceedings in this case, for there is so much partiality and ill-feeling going on," &c. &c.

"The evidence of several of his Highness' servants are very necessary in any case, and I cannot understand the proceedings of the punchayet, who carry on the investigation without reference to me, with a view to injure me as much as possible."

She states that she did not like the appearance of the people (*i. e.* the commission), and requests the Resident, as the inquiry had been going on for eight months without an issue, to investigate it himself.

trial, and that Larbaee was therefore not justified, whatever her suspicions may have been, in withholding evidence necessary for a decision, with the intention of giving it in appeal before the Resident; nor had she a right to dictate the terms on which she would give it. I do not say that Larbaee was not free to refuse to plead; but I altogether dissent from Colonel Outram in his arguments to show that Larbaee's evidence having been so given, the inquiry should have necessarily closed.

78. The second letter from Captain French is dated the 22d February 1849. He reports the refusal of Joitabhaee to agree to a punchayet, describes the facts of her case as currently reported in terms most unfavourable to that lady, averring that there had been two supposititious children, as stated in Mr. Andrews' two memorandums, and that the imposition was notorious throughout the town, and a general scandal. He also recommended that the guarantee which had been given to the firm should be cancelled.

79. The Government reply is dated the 21st May 1849. This reply was founded on some very just remarks of the Honourable Mr. Willoughby, based on such knowledge of the circumstances as the Government were possessed of.

80. We declined to interfere further in Joetabhaee's case, but refused to recall the guarantee, and punish the innocent heir, the son of the elder widow, together with the guilty stepmother. The Government added, that they did not, "as informed," perceive the grounds of the Resident's suspicion that Baba Nafra had been a party to Joetabhaee's fraud, but sanctioned his dismissal by the elder widow if this fact could be established.

81. Nothing could be more proper than these instructions, according to the information which we then possessed; though nothing perhaps can more clearly show the difficulties attending the fulfilment of the conditions of a guarantee than the contrast between the past and present correspondence.

82. Other petitions were subsequently submitted by Joetabhaee; but the subject had now been closed as far as Government were concerned, and she was referred to that decision.

83. How, indeed, could the Government with propriety pay any further attention to her unsupported statements and remonstrances? Independently of the self-evident objection to our availing ourselves of the power of the guarantee, except when justice imperatively required, Joetabhaee had from the first been unfavourably known to us as a profligate woman, who had carried on a bold intrigue to serve her own interests at the expense of the elder widow, and undoubted heir of the deceased. We had no reason for supposing that she had been denied any facilities for establishing her case, had it been a just one. We were assured that, as far as we were concerned, and however unfavourable the reports made to Government regarding her by us, at least she had not been prejudged. Her petitions in 1847 had been referred for investigation and report to the Resident. Again and again had we renewed our calls on Colonel Outram for information and opinion. Time had passed. After a period of four months, we were told that inquiries were in progress, but nothing more was made known to us by Colonel Outram. By his successor we were informed that there seemed no prospect of a satisfactory settlement, or of a termination of the case, owing to the contumacious conduct of Joetabhaee and her friends. In compliance with Captain French's advice, we had given her a final opportunity of settling her dispute in strict conformity with the usage of the country, and she, as we were told, had refused to submit to it.

84. It is manifest, from this recapitulation, that Government had done its best to secure justice to the parties concerned, and that it could not be expected to pay attention to Joetabhaee's further representations. Nor, when a decision has once been arrived at on apparently just grounds, is it our practice in any instance to re-open the subject, except under unusual circumstances, and upon fresh and unconsidered grounds.

85. Two other letters only, of a later date, were received on Joetabhaee's affairs from Captain French (dated the 10th May and 21st July 1849); they hold out hopes of a reconciliation taking place between the widows, if Government will

persist in its non-interference. The letters which Government next received are from Colonel Outram after his return from Egypt.

86. It certainly strikes me as singular, considering his previous suspicion of unfair practices, as mentioned in the Report, that he at first coincided in the propriety of the measures recommended by Captain French.

87. He states in a letter, dated the 24th June, "that though it is possible, and he thinks it probable, that the petitioner Joetabhaee has experienced foul play at the hands of Baba Nafra"—[note, that he says not a word of the commission]—"yet he sees no probability of a dispute of this nature being adjusted, excepting through the medium of arbitrators, as suggested by Captain French."

88. He has explained in para. 137, Part II. of his Report, his reasons for falling into this seeming inconsistency. He considered that the question was settled, and that an arbitration was the only chance left to Joetabhaee of obtaining justice. Still his opinion is given in very unqualified terms, and such as are calculated to satisfy Government of the good judgment exercised in the matter by the acting Resident, Captain French.

89. On the 11th July Colonel Outram announces to Government the revelations unexpectedly made to him at the Residency by some parties connected with the house of Hurree Buktee, and the arrest of Baba Nafra, on charges of abduction and murder; he further solicits that Joetabhaee, then in Bombay, might be desired to return to Baroda.

90. On the 29th the chief secretary informed Colonel Outram that Joetabhaee had been told to return, adding, "with reference to the suspicions which Joetabhaee's conduct in declining the method of inquiry approved by Government had given rise to," that Government relied on him for the good treatment of the parties pending any inquiry which might take place; or, in other words, Government believed that Joetabhaee's refusal to submit her cause to a punchayet indicated her consciousness that it was a bad one; and if she were guilty of the fraud imputed to her, it was presumed that she would not hesitate to use unfair means to injure her opponents, or to charge them falsely with atrocious crimes.

91. When the representations which up to this period had been made to Government, are taken into consideration, it would indeed have been surprising if we had not at the first glance viewed such charges with distrust, and considered it necessary to caution Colonel Outram against premature severity to parties judged up to this period to have been in the right, and possibly therefore the objects of a revengeful intrigue.

92. These are the last instructions given by Government in Joetabhaee's case. Their letters have been one by one brought under review, and from the beginning to the end I can find nothing in them to justify Colonel Outram in instancing the conduct of Government as calculated to support the idea which he avers was prevalent at Baroda, that Baba Nafra possessed influence at Bombay.

93. If, on the other hand, Colonel Outram had rightly assumed that Captain French was made the tool of Baba Nafra, through the influence of his secret colleague, Nursoo Punt, the fact is of a nature which would have speedily gained circulation in the city, and would of itself have accounted for any treatment which Joetabhaee received at the hands of the Resident, without reference to the Baba's presumed interest at Bombay.

94. I shall now proceed to review the conduct of Captain French towards Joetabhaee, while acting Resident.

95. That this officer was not assisted by Nursoo Punt in becoming acquainted with the case, that he was even deceived by the native agent as far as misrepresentation could be indirectly used, is very probable, and would seem, indeed, to be demonstrated by Colonel Outram; but neither Nursoo Punt's conduct, nor the recommendations of Captain French, in his letter of the 15th November 1848, deserve the high colouring which is given to them in this Report.

96. The expectations which Colonel Outram, in the 35th para., Part II, states, that he entertained in regard to the course which Captain French would pursue, are not warranted by anything on the face of the proceedings. Captain French found this voluminous case waiting his arrival at Baroda; and after the great

great delay which had taken place in replying to Government, he doubtless thought that it called for his immediate attention. No clue was provided to its intricacies, and if he mastered the voluminous details, it by no means follows that he should have taken the same view of them as Colonel Outram. The latter, as I said before, had left on record no analysis of the case as far as it had gone, and no memoir of his views regarding the justice of Joetabhaee's claim, or his suspicions of foul play on the part of the Durbar. The neglect of this precaution was followed by the natural results: Captain French was thrown upon Nursoo Punt for information. A cursory inspection of the papers would have convinced him that if the Durbar on the one hand had shown no extraordinary anxiety to close its proceedings, obstacles had on the other been thrown in the way of a final settlement by Larbaee, Joetabhaee, and her party. From what has since transpired, it may safely be presumed that the influence of Nursoo Punt would not have been wanting to lead the Acting Resident to apply to this case a specific treatment, which Captain French had long previously concluded to be the best in all such cases, and the only course, indeed, which promised to open an easy way to a satisfactory decision.

97. Such disputes, he tells us, that he believed were only to be settled by amicable arbitration, and with this firm persuasion it is not extraordinary that he should have considered the measures hitherto pursued as a series of mistakes. It by no means follows, as Colonel Outram appears to argue, particularly in paras. 49 and 50, Part II, of his Report, that Captain French was ignorant of the stage at which the proceedings had arrived, or that he was necessarily in error in abandoning the policy of Colonel Outram.

98. The following, among the accompaniments to his letter of the 15th November, would go to show the contrary:

No. 19. Where the appointment of a commission by the Durbar to inquire into Joetabhaee's case, is distinctly stated.
No. 20. Where witnesses are to be summoned.
No. 28. Mentioning the names of the four assessors.
No. 29. Which states that to complete the investigation, Larbaee's evidence is required.
Nos. 42 and 47. In which, as before noticed, Joetabhaee states that she cannot approve of the proceedings in the case, because "there is so much partiality and ill-feeling going on."

Surely here was a reason for suggesting to Captain French the expediency of an inquiry before another tribunal, and if so, all the arguments used by Colonel Outram to show that Captain French was grossly and directly deceived by Nursoo Punt at this stage of the case, fall to the ground. I believe he was only not informed by that individual, and so far I agree with Colonel Outram in regard to Nursoo Punt's conduct, and his motives. He might, doubtless, have thrown much light upon the case, and Colonel Outram's resolutions and opinions as affecting it; this he did not do, and in Colonel Outram's remarks in para. 53, on this man's conduct, I entirely agree.

99. It is also evident from the extent of the influence exercised against Joetabhaee, that the plan of settlement proposed by Captain French, though this was unknown to him at the time, would, if agreed upon, have deprived Joetabhaee of her last hope or chance of justice.

100. Hitherto I have been able to account for Captain French's conduct; his proceedings at a later period are far from satisfactory; it is clear that he had imbibed the strongest impressions against Joetabhaee; instances of this feeling may be observed in the report, paras. 57 to 63 inclusive.

101. His letter of the 22d July 1849, noticed in the last paragraph, is open to objection as unwarranted by the facts. He there informs the Government that Joetabhaee refuses to consent to a settlement by punchayet, and submits a yad from the Durbar, dated the 15th of the same month, in which it is stated that she will give no reply to the Durbar, and has even refused to attend when sent for by his Highness's mother.

102. Colonel Outram, in the 64th paragraph of his report, shows that this statement on the part of the Durbar was a deliberate falsehood; and I am com-

pelled to concur in his censure of the Acting Resident for having taken this extraordinary assertion for fact without due inquiry, notwithstanding the contrary tenor of Joetabhaee's own letter to himself. In this report, which ought never to have been made by Captain French, except upon the best and surest foundation, he states his belief that there was no one in Baroda who doubted that Joetabhaee had introduced supposititious children into the family as her own.

103. There is certainly room for believing, from the whole tenor of Captain French's proceedings at this time, that he was strongly influenced against Joetabhaee; and I see no reason for differing in opinion with Colonel Outram, that this influence was exercised by Nursoo Punt, whose connexion with Baba Nafra it would appear that the Acting Resident neither knew nor suspected.

104. There is much in para. 83 which supports this conclusion. On the other hand, much of the reasoning of Colonel Outram on this part of the report to establish the fact of the child which passed as Joetabhaee's having been her genuine offspring appears to be forced and overstrained; but I forbear for the present to enter upon this part of the subject.

105. It was in the same letter from Captain French that the suggestion was made to cancel the guarantee. This, as I have before stated, the Government, at Mr. Willoughby's suggestion, justly refused to do; but relying, as they were forced to rely, upon their Resident's report of the case, they declined to interfere further in behalf of Joetabhaee.

106. The remainder of the second part of the report is a running commentary on Captain French's proceedings in the case of Joetabhaee; it establishes the strongly unfavourable impression which had either arisen from the correspondence which passed between this Lady and Captain French, or been excited by others against her, in the mind of the Acting Resident, and which led him to treat her representations with unbecoming indifference. Colonel Outram's comments, if unrefuted by Captain French, must be deemed extremely damaging to that officer's character for judgment and penetration.

107. But for my conviction that Captain French is utterly incapable of trifling with the feelings of a defenceless woman, I should have regarded the letter referred to by Colonel Outram in his report, para. 93, which the Acting Resident addressed to Joetabhaee, as written in a tone of covert mockery and insult; yet, if the expression there used were seriously intended, the undignified tone of the letter from an officer in the position of Resident is truly painful. The only conclusion, therefore, that I can come to is, that this remarkable letter was drafted by some one of the office clerks, and signed by Captain French, without that attentive perusal, or comprehension of its purport, which such a communication required.

108. Captain French's conduct in other instances is also censured with much severity and apparent justice; but Colonel Outram is scarcely justified in condemning in such harsh language the conduct of an officer, his successor and his equal, who exercised the same powers, and acted with as free a discretion as himself. If the present report may be considered to establish that the proceedings of Captain French throughout the case before us present but few traces of that searching analysis, and earnest spirit of inquiry, which characterise the measures of Colonel Outram, that he was superficial and unsuspicious of his chief native assistant, upon whose advice he too entirely relied, it must not be forgotten on the other hand that he had no official records to lead him to distrust that officer, and that the strong prepossession which in the absence of such documents he appears to have imbibed against Joetabhaee at a very early period, could not fail to exert a most prejudicial influence upon any representations which might emanate from her. Once satisfied in his own opinion that she was an impostor, and surrounded on all sides by people who were watching for an opportunity to give a false colouring to all she said, and to deny whatever she asserted, it is more a subject for regret than either for surprise or heavy censure, that he turned a deaf ear to her petitions, and saw nothing in them to arouse his suspicions; inasmuch as her resistance to his own proposal of a punchayet, and attempt to avoid it, would naturally be regarded by him as a perverse endeavour on her part to escape a searching and honest scrutiny.

109. We should also bear in mind, if we would take a fair and liberal estimate of Captain French's proceedings, how delicate and disagreeable a duty it must have been to be compelled to adopt a dictatorial and offensive style in the frequent communications which necessarily passed between the Resident and the high officers of a nominally independent government, the favoured and trusted of the Prince, upon a matter affecting that Prince's own subject.

110. How far that interference should be carried may be a matter of doubt. The minute attention which Colonel Outram himself has given to this case, and more especially in his latter proceedings, may be owing in a great degree to the unexpected disclosures made to him at the residency.

111. Doubtless when he addressed Government in his letter of the 24th June he did hope, as he observes in his 137th para., that we might still permit Joetabhaee to submit to the proposed arbitration, and he states in that letter that he suspects Baba Nafra (not the Gaekwar's Durbar) of foul play.

112. Had no discovery been made, and the case allowed to run its course, it is, notwithstanding, impossible to say from the concluding words of that letter, that Colonel Outram would have considered it necessary to interfere with the proceedings of the punchayet, as he has done with those of the court which tried Baba Nafra.

113. It may be a question upon the whole whether we should call upon Captain French for a detailed defence of his proceedings with reference to Joetabhaee. He may have exhibited incapacity in dealing with this dark and difficult intrigue, but that he acted in good faith and to the best of his judgment, there is not the slightest reason to question. Doubtless there are parts of his conduct which requires to be explained, and upon these he may be called on for specific replies to the specific questions which we may think it right to put to him. But this is a subject the consideration of which should I think be deferred until the receipt of the proceedings of the Commissioner, Mr. Frere.

114. I now turn to the case itself, which the more it is studied must more and more impress the mind with admiration of the extraordinary ability and patience displayed by Colonel Outram in investigating the obscure and secret conspiracies which are the subject of his report, dated 30th March 1851, in baffling native intrigue upon its own ground, and in unravelling with much ingenuity, if not always successfully, the frauds, perjuries, and the mass of contradictory depositions which have been taken and committed from the period when Larbaee's first petition was presented to Government in 1847 up to the date of Baba Nafra's trial and conviction in August 1850*. *See* App. (G).

115. The task he undertook to perform may indeed be termed an extraordinary one. Once persuaded that Joetabhaee's tale was true, and that she was the victim of a foul conspiracy, he has alone and unaided stood by her; has opposed the active machinations of her powerful enemy, deriving a strong support as they must have done from their success with the Acting Resident, and through him with this Government, has openly met the secret hostility of the Baroda Durbar (for the Gaekwar himself, however well-meaning he may have been, has been evidently and wholly passive in the matter), and finally he seems to have unveiled and exposed the domestic treachery of the native agent, which would appear to be but too clearly established by the facts and reasoning of this report. The Commissioner's proceedings will however enable us to decide this point with certainty.

116. Our immediate concern is with the correctness of the Resident's conclusions on the present occasion. The main question is, whether he has established that the Seettanee Joetabhaee really did bear a son to her husband, Beichur Samuldass, at the time and under the circumstances stated by her. There is evidence upon this point both direct and indirect. The former is verbal and is confined to her immediate relations, friends, and dependants. The principal oral evidence to her confinement is that of her father Banabaee, her mother Larbaee, her

* The award is signed 4th August 1850. It is submitted to the Resident, with a yad from the Gaekwar, dated 22d October 1850. Submitted to Government, with a letter from Colonel Outram, dated 31st March 1851, which was received in the secretariate on the 21st April.

her dependants Munchee and Gungee, the wetnurse, and the connexion and friend of the family Maha Koer. The strongest oral testimony against her statement is that of the woman Punnee*. If, as the medical committee and Colonel Outram have attempted to show, her evidence is worthless, we cannot forget that the same motive (self-interest) which is supposed to have induced her to persist consistently in her false statement, should lead us to suspect and receive with equal jealousy the evidence tendered on the other side by Joetabhaee's nearest relations.

117. This evidence goes directly to establish that Joetabhaee was confined of a son in her father's house (3½) months after her husband's death, and that she suckled the child herself.

118. It is the misfortune attendant upon all investigations in this country depending on oral testimony, that from the highest to the lowest, truth is regarded by the native, where opposed to his interest, as folly; false evidence in such a case is given or procured with the most reckless disregard of justice, but with a circumstantiality and consistency which would frequently baffle the most experienced cross-examiner to expose. Apparently the statement as a whole is clear and incontrovertible. Trifling inaccuracies and discrepancies are readily and rationally accounted for. But it sometimes occurs to those who would otherwise be apt to credit these seemingly truthful and simple statements, that from an ignorance of our laws and notions of right, the witnesses have been deposing to facts that are either wholly or partially opposed to the object they seek to attain. Then it is seen with what unblushing effrontery they will wheel round and, if secure from the penalties of perjury, will deliberately contradict or qualify their former assertions, so as to reframe their statement and make it tally with the occasion.

119. The oral evidence adduced by Joetabhaee but for this cause of distrust is, I am bound to observe, strongly in favour of the truth of her story. It is consistent. It has satisfied the medical committee, in connexion with the ascertained fact, that Joetabhaee has had a child. It has convinced Colonel Outram.

120. I must, however, remark, that though, after an impartial examination, I do not feel justified in setting aside his conclusions, I have gone through the entire evidence recorded in the case without having arrived at a positive conviction on the point. I will state my reasons *seriatim*. They have each, and all, been replied to in their turn, and much argument which cannot upon the premises be termed unwarrantable has been used to refute them, still they have not, in my opinion, been fully and satisfactorily met. A strong impression is left lurking in the mind, that the whole truth has never been divulged, and that the question of Joetabhaee's real or pretended confinement is still a mystery.

1. Joetabhaee was married to Beichur Samuldass, in the year 1839, in the month Wysack (April or May); she must, at that period, have been at least 10 years of age, a period at which, or close upon which, the women of this country are commonly capable of bearing children. For she is stated, on her deposition given before Colonel Outram on the 4th September 1850, to be then about 21 years of age (*see* F. 33. 88). Her first child was born, if born at all, on 22d December 1845, or 6½ years after marriage, and it is not pretended that she was ever previously *enceinte*. It is by no means an unusual occurrence for a woman to prove prolific after having been childless for a considerable period, still the chances are against a woman who has been barren for several years immediately following marriage, becoming fruitful under the peculiar circumstances of this case.

2. At the time the child was said to have been born, the circumstance of her bearing an heir to Beichur Samul made all the difference to her, between comparative poverty and insignificance, and the rank and consequence belonging to a mistress and co-partner in the most opulent banking-house of Baroda. To bear a child at that period was, in fact, to be rescued from loss of station and from obscurity. This strong and direct motive for setting

* *See* the significant answer (H. 85) of witness Rewa:—"As to the good news, I know nothing."

setting up a spurious child lends strength to the consideration of the improbability of her becoming a mother, as just noticed, inasmuch as it affords reasonable foundation for strong suspicion.

3. This suspicion is still further increased by another extraordinary circumstance. Joetabhaee menstruated until within eight days of her husband's death. I entirely set aside, in the present consideration, the verbal evidence of the witness Punnee, that she menstruated after that event, and that her mother washed her clothes to conceal the circumstance. But the fact that she did menstruate until within eight days of the period of her husband's demise is admitted, and that her confinement occurred only three months and a half after that event. The medical committee, in their report (L.) have satisfactorily established that married women with child do occasionally menstruate until a short period before their delivery; still the fact is undeniably out of the general or usual course of nature, and thus it is not one natural improbability which we have to get over, if we believe in her confinement, but a second at the back of it.

4. Beichur Samuldass died on the 3d September 1845; the date of the child's birth was the 22d December, same year, or about three months and a half after his demise. The child being of its full time, as the evidence leads us to believe, Joetabhaee must have become impregnated about the 22d March, or thereabouts. But the general impression which I derive from the entire evidence on the subject, notwithstanding Colonel Outram's arguments, is certainly that Beichur Samul had been in a declining state of health for a considerable period before his death, and that the probabilities here too were against his having been the father of the child said to have been born to him by Joetabhaee. This state of his health, for some period antecedent to his death has not been ascertained with sufficient accuracy; but I gather from the evidence that he was seriously indisposed for a considerable period antecedent to his demise, though it was only latterly that symptoms of urgent danger were apparent.

5. Joetabhaee was brought to bed in her father's house. This has been shown to be customary; nevertheless, it will be admitted that the practice furnishes great facility for that sort of imposition which Joetabhaee is charged with having committed.

6. There are no indications whatever in the evidence that Beichur Samul was aware that his wife was in the family way. Joetabhaee says that she informed him; she would of course say so,* but the evidence is strongly against the supposition. The circumstantial account of the placing of Maha Luxmee's child, Purshotum, in her lap, with her husband's consent, a short time before his demise, a fact which is proved, as I consider, by the evidence, and which, notwithstanding her subsequent denial or qualifications of the statement, it seems to me she did admit before the punchayet, remarking that it was done " to reconcile her," affords a strong presumption that the dying man was not aware of his wife's condition. Other unfavourable impressions are excited by the body of evidence, tending to show that Joetabhaee first publicly made her condition known to her friends after her husband's death. Another strong and unfavourable feature in this case is the course which it is asserted was taken by the caste in deciding that Joetabhaee's child was the son of a coolie, and turning her father and family out of caste in consequence. A great deal has been said by Colonel Outram of Baba Nafra's influence, of the conspiracy by which he endeavoured to persuade the Veesa Land Baneea caste that Joetabhaee had defiled her own family, and therefore all who had come into contact with them, by introducing a coolie child into the house. But I may be permitted to question whether any influence, however strong, of an individual not of the caste, or any intrigue of Baba Nafra's, such as that of sending the Metapoor coolies into the city, and the production of Banabahee's reputed bond, would have induced a caste so powerful and wealthy as the Veesa Land to have received the story of Joetabhaee's guilt without examination. They would not

* Larbaee (*see* Appendix F.) states that Joetabhaee informed her of the fact three or four months after pregnancy, and before the Set's death, who often spoke to her on the subject. The facts on evidence are apparently irreconcileable with this statement.

not at once have condemned and excommunicated a widow of their principal family, as it would appear to me they did—the child being heir to immense wealth and betrothed to the daughter of one of their most influential men, one of Baba Nafra's judges—unless strong and general suspicions of fraud had been pre-existent in their minds, and they had disbelieved in Joetabhaee's having been a mother. In the usual course of things it is not probable that two or three interested parties only should have been aware, by ocular observation, of such a fact as that a lady in Joetabhaee's position had been enceinte, had borne a child and nursed it, such a circumstance would have been placed by the evidence beyond a doubt. Numbers of the women of the caste would have been able to depose, from personal knowledge, to the truth of the story; the wife of such a man as Beichur Samul would be regularly visited by all her respectable fellow-caste women. It is only on the supposition that her conduct as a young mother had induced suspicions, that I can account for this sudden and summary condemnation, which there is enough upon the record to impress me with the belief was the consequence of Baba Nafra's accusations. Here I feel called upon to notice an instance of what I regard as the forced construction often put by Colonel Outram on evidence. Either Joetabhaee was or was not expelled from caste; it would appear to me that she had been, but the fact, one way or the other, must be of importance. It was reported to Mr. Andrews, and even if falsely so reported to him by Nursoo Punt, the truth could have been easily and definitively ascertained from various quarters, since the fact of her expulsion must have been patent to numbers both in and out of the caste, and capable of demonstration beyond a doubt. As evidence, nothing can be more meagre, improbable or unsatisfactory than the statement of the principal Sets relied upon by Colonel Outram. It shows that they met at Baba Nafra's summons; that they were informed by him that Joetabhaee had committed an act which must, if believed, have infallibly been followed by her immediate expulsion from caste, and if disbelieved, must have been as publicly protested against as it was made. Her expulsion or justification became indeed a matter of personal as well as of general interest to the whole of them. It was formally notified to them that the child of one of their chief families was the son of a coolie; if this were true, it is more than probable that he had polluted half the caste, for pollution is communicated by the child's immediate friends to all who have intercourse with them; who eat or drink with or touch them. Then, too, whether the Sets of the caste who were assembled examined no witnesses on this essential point, as they pretend, or whether they did examine Thakoor Ameersing, as stated by the latter (*see* Appendices (J.) and (M.), must be believed or disbelieved upon a comparison of collateral facts.

121. Now it is quite impossible to credit that Baba Nafra, who had called the Sets together to expose Joetabhaee, and who had brought the Metapoor coolees to Baroda expressly to prove his accusation, could have failed to employ the powerful engine for effecting her disgrace which he possessed in the forged agreement between Banabaee and the Metapoor coolees, or to have omitted to summon the evidence at hand to ensure her conviction. In short, this statement of the Sets which Colonel Outram quotes as evidence, is a document that bears evasion on the face of it, and should have led to a stricter examination into the circumstances. It is exactly what might be expected of cautious and timid soucars, called on to give public evidence in regard to a circumstance likely to affect the character of their caste, and involve all in a notorious and common scandal.

122. The reasoning of Colonel Outram, in Appendix (N.), to establish the falsehood of Joetabhaee's reported confession, does not convince me that it is a forgery of a subsequent date. The notice in Mr. Andrews' report, that a confession in writing had been taken from her, renders it extremely probable that there either was a genuine or forged document of the kind at that period; and if a forgery were intended, I am not prepared to contend that any fear of Colonel Outram's sagacity would have led to the forgery being postponed until his departure. The parties who planned the Metapoor conspiracy were not likely to flinch from this when there was but a single statement to confirm; and the evidence

evidence of the witnesses, if false, could only be rebutted by Joetabhaee's unsupported denial.

123. Let us now turn our attention to some of the most powerful arguments in Joetabhaee's favour. The strongest are the facts that she has borne a child of the full period, that she suckled it, that the child was accepted by the rival wife, Maha Luxmee, that it was accepted by the caste, and acknowledged by the Gaekwar when he visited the house on the occasion of the child being named, that it was betrothed to the daughter of an opulent banker, and that it was not until the occasion of the Metapoor conspiracy, as arranged by Baba Nafra, that any doubts of the child's legitimate origin were expressed. It is also argued, though not directly bearing on the point, that if any supposititious child were introduced by Joetabhaee, Baba Nafra must have been a party to the fraud.

124 Now as to her having borne a child, the fact is proved by the evidence of Dr. Davies; but whether a year or five years before he examined her, or indeed within any period since she became marriageable, it is impossible from the indications noticed to assert. (*See* his letter of the 25th last July, to the Chief Secretary to Government.)

125. The strongest argument in favour of the child being the child of Beichur Samul, is the negative evidence afforded by the circumstance that it is not shown or asserted she had a child at any period before his death, and that she has not been accused of having been *enceinte* since that event. The strength of this argument I fully admit, nor is it even fair to assume from anything on record that she could have borne a child since her husband's death except at the time she states, without her condition becoming known. Still we are so little informed of her private history since her marriage, and between that event and her husband's death, that I cannot regard the fact stated by Dr. Davies as altogether conclusive as to the truth of her having borne a child to Beichur Samul.

126. The evidence that Joetabhaee suckled her child is favourable as far as it goes, but it would have been well had evidence of a less exceptionable nature been tendered to establish the fact, which might assuredly have been adduced if the fact be as stated.

127. Colonel Outram's reasoning on the strength of the evidence derived from the general admission of the child by the caste, and by the Gaekwar, seems rather overstrained to those who are familiar with native views and usage.

128. The standard of morality, as well as the mixed character of the motives which regulate the conduct of a Hindoo in a case like the present, will be found to differ very widely from what would obtain or be professed among ourselves.

129. Colonel Outram observes in his 40th para. Part II, "Had the alleged impotence of Joetabhaee's husband for many months been a matter of universal, or even general belief, or had it been universally or generally believed that Joetabhaee had never been pregnant, it is difficult to conceive how the announcement of her delivery of a son, who, if recognized, was to inherit almost untold wealth, should have failed to excite at the time a very general suspicion of fraud." This may be just enough; but when he adds, "that no such suspicions were awakened is demonstrated by the recognition of the boy as the posthumous son of the late banker, not only by his caste, but by his sovereign, and by the relations of the banker's other widow, whose son's prospects were so materially damaged by the advent of the second boy," I am by no means inclined to receive his dictum with the same implicit confidence. So of his argument in alluding to the non-attendance of Sir R. Arbuthnot at the naming of the child, para. 83. He has satisfactorily accounted for Sir Robert's absence. But the weight to be assigned to his reasoning, "that it is absurd to imagine that a respectable member of the banking community would have betrothed his daughter to a child notoriously the son of a low caste coolie, or that the betrothal, like the previous ceremonies (the giving a name) would have been graced by the presence of the sovereign, and confirmed by the sanction of the heads of one of the strictest and most punctilious of the castes, had it been

notorious that the child was a spurious one," will depend upon what is meant by notoriety.

130. Many a fact is whispered about in a native bazar until it becomes a by-word which, if publicly advanced as fact by a responsible party, would influence the interests and position of individuals belonging to castes much less tenacious than the Veesa Land. Yet though the thing averred be generally believed, it in no respect alters his position if influential, so long as public scandal be avoided; assuming that stories to the disadvantage of Joetabhaee and her child had been commonly bruited about, so long as there was no probability of the fact becoming published to the caste by formal charges being preferred, the story would be noticed, if noticed at all, as scandalous gossip. Both would be protected, the confinement of the lady left unquestioned, the native prince would visit, the caste would receive, and the influential member of it would betroth his daughter to the suspected but wealthy child without scruple, inquiry, or hesitation; such at least is my belief.

131. As regards the evidence that the child's reputed stepmother Luxumee, did acknowledge its paternity for a certain period, and admitted that her rival Joetabhaee had borne a child, it is most obvious, not alone from concurrent opinions on the point, but from her own contradictory statements, and extraordinary conduct, that the elder widow is a person of weak intellect.

132. It is easy to see that she had been from the first a mere puppet in the hands of Baba Nafra, whose advice she seems to have implicitly followed until the tide began to turn against him, when, as might be expected from a timid and incapable person, she has suddenly and entirely cast him off. I utterly disbelieve her statements that she was not aware of the contents of her several petitions said to have emanated from Baba Nafra. It may indeed be assumed, without any violent improbability, that she would sign whatever Baba Nafra told her to sign, so long at least as she was under his influence. But that he went through the form of consulting her, and kept her informed of all he did in her name, I see no reason to doubt. It was his interest to act with and by her, and to let it be known that he did so. To suppose that a person so weak and irresolute, if she were not advised by the Baba at the time, to contest the legitimacy of Joetabhaee's child, or if she received no encouragement from him to do so, may have refrained from doing it, involves no violent improbability.

133. The Baba was her husband's trusted and confidential adviser. If the will which Beichur Samul left behind him prove nothing else, it at least shows that his confidence in Nafra was unabated to the hour of his death. To this his handwriting testifies.

See (L.) 134. I cannot follow the medical committee in their pure assumption that at the time he executed the will Beichur Samul was not in his right mind. The lines in the will written by him may be fairly supposed to show the contrary, and though the rest of the will may or may not have been written and read in his presence, Baba Nafra was clearly the person to whose charge the dying banker would be likely to confide implicitly the affairs of the bank, as well as the superintendence and protection of his widows and heir.

135. Nor, though it has been argued that Baba Nafra must have been a party to Joetabhaee's fraud (if fraud were committed), do I think it follows that he should have taken an avowed part in it. This would be, no doubt, the native belief, because the Baba's cognizance of such a fact could hardly be doubted; but it may be quite possible that for his own ends, if fraud were really committed, he thought fit to shut his eyes to what was going on, and avoided bringing that public scandal upon the house which would have resulted from encouraging Maha Luxmee to active interference. I do not apprehend that such doubts of Nafra's passive complicity, if it were now to be avowed, would lead even the best of the native community to speak of him among themselves (in the strong language of Colonel Outram), as an infamous conspirator against his master's widow and son. The native standard of morality, as I said before, is not our standard; considerations of expediency enter largely into their views, and though doubtless any candid native would, if the matter was fairly discussed, acknowledge the immorality of such a course as Baba Nafra is here supposed

supposed to have pursued, yet he might feel some surprise in the first instance at hearing it stigmatized in such unmeasured terms. Before he condemned him he would require to know his motives.

136. In the consideration of this matter, I have purposely refrained from commenting upon the minor points of this extraordinary story; for these there is neither time nor necessity. I except the arguments founded on the non-performance of the Barsa and Rakdee ceremonies; these I shall notice briefly. They are satisfactorily disposed of in Appendix (J.); *see* yads dated the 23d January, and the 6th and 25th February 1851. In the former we are informed that the Barsa ceremony is usually observed by the Veesa Land Baneeas on the 12th day after the birth of the child; but it is clearly stated that in case of prevention from deaths or other causes, it may be performed at any future time.

137. In the latter we have clear and conclusive evidence that it is usual to bind the smaller rakdee (armlet) on the arm of a pregnant female in the fifth month of pregnancy, computed by the time of the stoppage of the monthly flow; and in the seventh, to fasten on the greater rakdee, and at pleasure to feast or not to feast the caste. But that in case of the death of the husband before the fifth or seventh month, the rakdee ceremonies are altogether dispensed with. This seems to me to dispose of the doubts which have been thrown upon Joetabhaee on account of the non-performance of these ceremonious during her husband's extreme illness or after his death.

138. The following is a strong remark in the yad from the Durbar, of the 12th February 1851, Appendix (J.): "Nor is it known that after the death of her husband that the second widow was understood to be pregnant." This comment of the punchayet obtains support in a singular quarter. We learn from Captain French's letter, para. 17 of 11th June 1851, that Baba Fudkey, the approved assistant of Colonel Outram in detecting the frauds and intrigues going on at Baroda, observed to Captain French when in Bombay, that no one at Baroda believed in Joetabhaee's confinement. The passage is so remarkable that I quote it at length: —

"Speaking to him of the assertion by Joetabhaee, of the firm Hurree Buktee & Co., that she bore a child to her late husband, he laughed, and said, no one at Baroda believed it; that when the elder widow was confined, he gave the hurkara who brought the intelligence five rupees, but that when one came telling Joetabhaee had borne a child to her deceased husband, he tried to escape any present, but at last gave one rupee to get rid of the messenger. This I know he has since denied, but that he told me the above I assert, for I lost no time in letting the Resident of Baroda know of it, being aware of his ideas regarding the supposed child, as well as of the estimation in which he held Baba Fudkey."

139. I have now stated the principal doubts which have occurred to me in the question of whether Joetabhaee ever bore a child to her late husband Beichur Samul. These doubts lead me to view with far more indulgence than Colonel Outram, the decision of the punchayet, that the fast has not been proved. A decision at the present time is comparatively of less importance since the supposed spurious child is dead. I am, however, bound to add, that if it were my duty to decide judicially upon the evidence which has been transmitted to us, and no other were procurable, my verdict would be in favour of Joetabhaee.

140. Baba Nafra's wife has not been examined as I think she should have been; however disposed to support her husband, some new insight into the case might have been gained from her statements.

141. I now turn to the evidence taken upon the inquiries into the Metapoor and Amleeara conspiracies, which may, I think, be considered as perfectly distinct from the question which I have been just discussing. The subjects are no doubt immediately connected, if we grant the two positions—

1st. That Joetabhaee bore a child to Beichur Samul; and
2d. That this was the child made over to the coolies of Amleeara.

142. Their necessary connexion depends upon the latter point being established, for it is within the bounds of possibility that Joetabhaee may have lost her own child and introduced another in its room.

143. I think it sufficient to notice in a summary manner each of these stories in its turn, and the established result, as I view the evidence.

144. I may also feel it my duty to offer some comments on certain points in which I may be unable to concur in the reasoning of Colonel Outram. To attempt more than this would extend my minute into a volume even more bulky than his report; nor is it necessary to do so, for, minutely as Colonel Outram has discussed every part of this case, not confining his analysis of the evidence to his report, but commenting freely, when he deemed it desirable to do so, on the contents of the 12 bulky appendices, it is but bare justice to him to admit that his arguments are always plausible, and frequently conclusive. I have only to object to his reasoning where I find him, first, resorting, in support of his own views, to evidence like that of Maha Luxmee, the utter worthlessness of which is apparent on the record; and, second, exhibiting immaterial contradictions in the statements of the parties opposed to Joetabhaee, whose depositions are on the record as discrepancies worthy of attention, when every day's experience in this country establishes the looseness with which the evidence of the best intending witnesses is given.

145. To return to the two conspiracies, as they are regarded by Colonel Outram, the particulars of which are to be found in the depositions of the Metapoor and Amleeara coolies.

146. The extreme difficulty of arriving at sure conclusions in respect to such low and obscure intrigues, carried on by the subjects of a native prince, either in that native prince's capital, and, as it is somewhat graphically described, "within the shop" of the parties concerned, or in distant villages of the British and Gaekwar territories, without the aid of official power, must be self-obvious.

147. This difficulty is greatly enhanced by the length of time since the circumstance occurred; perfect conviction of the truth of any statement, except on unimpeachable testimony, is of course out of the question.

148. But before recording the general impressions left upon my mind after perusing the proceedings, including the voluminous appendices, I will briefly illustrate the remarkable worthlessness of the chief part of the oral evidence on which dependence must be placed in coming to conclusions.

149. The proof that Baba Nafra, in pursuance of his infamous purpose of ruining Joetabhaee, had deliberately contrived and brought forward the charge of her having first procured a spurious child from Metapoor, and afterwards from Amleeara, is founded originally upon the confessions of the three imprisoned gomashtas, Lulloo Bhugwan, Bhyjee Gella, and Bhugwan Bowaneedass, who had quarrelled with Nafra, and been imprisoned by his orders. These men's own confessions stamp their characters as worthless, and deprive their evidence of all value further than in as far as they may happen to derive authority and support from other evidence. The story told by Lulloo Bugwan in an especial degree is to be mistrusted; he is too evidently an arch intriguer, so much so as to suggest the belief that he would lend himself as a willing tool to any one who would make it worth his while to set the machinery of his plots and falsehood in motion.

150. The punchayet, in their somewhat rambling award, have found the Baba guilty of having concocted the Metapoor conspiracy (for they admit it to have been a conspiracy), in which Lulloo Bugwan was avowedly the main agent. Their verdict is qualified, for they do not find him guilty of having authorised the forgery of the agreement with the coolie Rugoonath, the worthlessness of the evidence of Munsoobram, the writer, and the son of Lulloo Bugwan, Nafra's personal enemy, together with the witness, Mohunlall's denial that he forged the signature of Banabhaee, having told against that part of the charge; but they apparently mean to convict him of having made use of the document with the knowledge that it was forged, and having personally assisted in inciting the coolies of Metapoor to publicly accuse Joetabhaee and her family of the fraud, and her father of having passed the false bond.

151. Colonel Outram views the Baba, on the other hand, as the prime mover and originator of a deliberate conspiracy, entered into with the view and determination of removing Joetabhaee from all concern with the firm.

152. It

152. It is difficult to study Colonel Outram's able and extremely elaborate reasonings on any part of this report without inclining to the same conclusion as he has arrived at; yet involuntary doubts will occasionally arise when the rottenness and worthlessness of the statements on which the entire fabric of his conclusions rest comes to be examined and considered. In the instance in point it seems proved beyond doubt that Baba Nafra, anxious to rid himself at all hazards, of the unseasonable importunity of Joetabhaee and her friends in the affairs of the bank, either contrived the conspiracy which brought the Metapoor coolies to Baroda, or that Lulloo Bugwan originated the fraud, and that the Baba sanctioned and pursued it.

153. Yet of what intrinsic worth, as evidence, are the statements of the principal agents to which I shall now refer?

154. It seems vain to look for a safe guide through the mazes of their perjuries and contradictions. I have endeavoured, in vain, to find some data which would enable me merely to fix the periods when, according to Baba Nafra's statements, the first of Joetabhaee's spurious children was brought from Metapoor, died, and was replaced by the other child from Amleeara.

155. All that I can discover is, that coolee Ragoonath and Ghooman Mhowsing, in their evidence given on the 10th and 11th November 1847, say that the child of the former was taken to Baroda from Metapoor about two years or two years and a half previously, or either in November or May 1845, while Dhondee woman, wife of Dullia Bawa, of Amleeara, asserts that her child was purchased for Larbaee and Joetabhaee by Dhoda Meyah, havildar, about four years previous to the date of her giving this deposition (in August 1850), or in the month of August 1846. If these original statements had been true, it would have followed that the first child must have died between the months of November 1845 or May 1846, when it was said to have been purchased at Metapoor, and the month of August of the latter year. But the statements of these witnesses are shown to be utterly worthless.

App. (H.), 6 & 16.

See her evidence, App. (H.), 33. 44.

156. Coolee Rugoonath has not appeared to undergo a re-examination in the evidence which he gave before Baba Nafra in 1847; but, to balance this defect, Ruleal his wife deposes that her husband was hired to represent the father of Joetabaee's child. The statements of the other witnesses from Metapoor, whose evidence was of any importance, is without exception, by their own admission, unworthy to be relied on.

See her depositions, 30 App. (F.); recorded 14 App. (H.), and 22 App. (H.)

1. Thakoor Jessing Jallambaee, App. (H.), 7.
2. Thakoor Ameersing, App. (H.), 11.
3. Thakoor Jubar Humbere, App. (H.), 8.
4. Rarjee Berald, App. (H.), 9.

All deposed before the punchayet that they accompanied Coolee Rugoonath from Metapoor to Baroda, to obtain from Larbaee either his son sold to her, or payment of the bond delivered to the father.

157. Gomaun Mansing deposed to having carried the child to Baroda in a basket, and delivered it to Larbaee. These same witnesses before the Resident, and Gowaun Maunsing, are brought forward to establish their own perjury.

(H.) 10.
See App. (F.), 28; (H.) 16; App. (F), 19; (H.), 25; App. (F), 18; (H.), 26; and App. (F), 17; (H.), 44 & 27. App. (F), 15, and (H.), 29.

158. Such being the case, their later depositions can be received as evidence only as far as a critical analysis of other ascertained collateral facts can be brought to illustrate and confirm their truth. This Colonel Outram has undertaken, and very ably accomplished. I have already stated my concurrence in his conclusions to a great extent. If I reserve an unqualified assent in them, to their entire extent, it is only, as I have said before, that the best inductive reasoning, where the chief oral evidence is tainted, cannot be viewed as altogether safe.

159. So of the story told, retracted, and re-affirmed by the Amleeara coolies.

160. To place before my colleagues, at a single view, the evidence of these immediate agents in the intrigue, either in complicity with Joetabaee or working against her, I would refer them to the following depositions, confirmed and contradicted by the alternate contradictory deposition of the repentant gomashtas, at first the active agents and abettors of Nafra's designs, latterly his denouncers

(H.), 32 & 33. before the Resident. Compare the stories of Dullia Bana and his wife Doodee, both agreeing that to promote their child's interests, and tempted by a present of 100 rupees, they sold their son to Havildar Dodo Meyah for the Settanee Joetabaee. See further depositions of Joona Jusla, who deposed that he took Dullea's child to Baroda, and received five rupees for doing this service, confirmed in (H.) 42, retracted before the Resident in (F.), 14, (H.), 60, of Buktee Hurreebaee and Boodur Bhanur, coolies of Amleeara, who depose that at the time Dullea states that he sold his child and announced its death, the usual ceremonies were performed on account of the latter event by one or both of them bathing on the fourth day; that they were subsequently given to understand that the child brought back from Baroda by Dullea was the child supposed to be dead, and that, in its actual death from cholera, Boodur Bawa carried the child as a relative to the place of burial; while Buktee Hurrebaee states that he again bathed on account of the child's death, and his family attended at the Choutega or fourth day's feast, though he himself did not, as he was not in terms with Dullia. Contrast this with Dullia's evidence, his denial of the truth of his former statement being again retracted before the punch. His wife's depositions are retracted, like her husband's.

(H.), 41 & 44.
(H.), 34.
(F.), 8; (H.), 59.
(H.), 74.
(F.), 21; (H.), 58.
H. 75.

161. The principal agent in this asserted traffic between Larbaee and Dullea is Dodo Meyah, and the analysis of his contradictory evidence would almost require a chapter of itself; but my object is solely to show how little oral evidence would remain on which to build safe conclusions, if the evidence of all witnesses who are confessedly perjured were entirely subtracted.

See (H.), 31, 40, 57, & 72; also (F.), 22.

162. The two Amleeara patells, Rhyejee Beichur and Murrotum Narrayen, depose to nothing of essential importance, and I leave the collateral evidence untouched. But as another example of evidence, so worthless as to be unavoidably rejected, I would point to the depositions before the Durbar, of Nurberam Doolub, who there deposes that Dodo Meeah freely confessed to Baba Nafra that the Amleeara Coolee Rugunath was the father of Joetabhaee's child, while afterwards, before the Resident and Durbar, he contradicts this statement, telling a tale which is intended to prove that the evidence of Dodo Meyah was, as the latter has stated in his deposition before the Resident, obtained by force; the truth of the tale that he gave his evidence under compulsion, and that Baba Nafra wrote down what he pleased, which Dodo Meyah signed, I must be allowed, after having considered Colonel Outram's reasoning in support of that hypothesis, very seriously to doubt.

(H.), 56.
(F.), 23.
(H.), 67.

163. I do not propose to extend these remarks into an analytical inquiry into the reasoning of Colonel Outram upon the evidence in the case in each and all of its bearings; suffice to say that there are still difficulties and doubts which are not entirely removed, even by the elaborate exposition of facts, and reasoning upon them, which Colonel Outram has placed before us in his report.

164. Unfortunately, the point on which there is the strongest disposition to differ from him, is one on which a just decision is of most importance, the fact of Joetabhaee's maternity under the circumstances stated by her and her relations; and these doubts are the parents of others, which may affect our opinion as to the real foundation of the Amleeara story. This story cannot be allowed to prejudice Joetabhaee, because it has been since denied by the asserted agents in it; but at the same time I cannot say, upon taking a careful review of the entire evidence, that it has been satisfactorily refuted. That the child was subsequently placed under a guard, does not appear to me so conclusive of its being the child of the banker, as it does to Colonel Outram. Granting it were spurious, the child had remained so long in Joetabhaee's family, and had been passed off so openly as hers, that its possession was of as much importance to her in carrying on her suit as mother, and consequently heiress, as if it had been *bonâ fide* her own.

165. It is rarely other than a worthless process to resort to conjecture. I may for once, however, be permitted to observe, that supposing the decision of the punchayet could have been relied upon, I should have taken its purport to imply that the following was the opinion of the members of that court:—1st, That Baba Nafra was privately aware at the time of Joetabhaee's confinement that an imposition had been practised, that he shut his eyes to her proceedings to suit his own purposes. 2d, That on finding his interests required that Joetabhaee should be exposed, but not being at that time acquainted with the particulars of the alleged heir's

heir's parentage, he set about inquiries, and finally concocted the Metapoor conspiracy. 3d, That while the plot was in progress he obtained a clue to the truth, and sending for Dodo Meyah, whom he had discovered to have been the real agent in procuring the child, he got him, by threats and promises, to confess that he had bought it at Amleeara. 4th, But as the first story had obtained circulation, the second was welded into it, and the first child said to have died of small pox.

166. That this is the view which the punchayet would indirectly suggest may, I think, be inferred from the guarded terms of their finding. They record it doubtful whether Joetabhaee were at the time stated delivered of a son, and they find Baba Nafra guilty of participating in (not of originating) a conspiracy with the Coolees of Metapoor. They also find him guilty of abducting a child, but do not convict him of having done so without having ascertained whether the child were or were not the son of a Coolee; nor do they decide either that he was the child of Joetabhaee, or that he was not the son of the Amleeara Coolee Dullia.

167. Such an explanation of the case would indeed seem to be open to no stronger objections on the score of improbability, than the supposition that Joetabhaee bore a son to Beichur Samul at the time stated.

168. Nevertheless I am inclined, with such evidence as we have before us, so sifted and weighed as it has been by Colonel Outram on the spot, to consider his conclusions as established, in as far as the case admits of proof. The more so since even the minister was at length satisfied that Joetabhaee had had a child, and that in consequence she was invited to the Durbar, and presented with a dress of honour.

169. I think it quite unnecessary at this distant period, Mr. Prendergast being no longer alive, to refer to the Collector of Kaira, for an explanation of the delay of Mr. Prendergast's sheristedar, noticed in paras. 17, 18, and 19 of Part III.

170. The Resident may be told that all claim to our guarantee, on the part of Wamunrow Venketesh, otherwise Baba Nafra, was cancelled by his conviction; and further, that we will not interfere with the sentence passed by the punchayet.

171. I have kept these papers for a very long time. The intricate nature of the case to which they relate, the somewhat diffuse, though certainly able manner in which it has been argued by Colonel Outram, and the extreme difficulty which I have experienced in arriving at any conclusion at all satisfactory to my own mind, would have themselves excused to my colleagues the delay which has taken place; but once satisfied that Baba Nafra's complicity in criminal intrigue against his mistress, Joetabhaee, had been so far substantiated as to remove all probability of our interfering to annul the sentence upon him, I considered that it would be better to have before me, previous to circulating this minute, the result of the trial of Nursoo Punt before the Commissioner, Mr. Frere, on the particular charges preferred against him by Colonel Outram, of having deceived the Acting Resident, Captain French, in connexion with the present case. These charges have now been received, and constitute the first of the trials on which Nursoo Punt has been arraigned. Their perusal has in no way affected the view I had previously taken of the merits of the inquiry into the rights of Joetabhaee Settanee. In now recording the opinion to which I have come, I should be guilty of great injustice were I not to express the sense I entertain of the important assistance I have derived from the Judicial Secretary, Mr. Grant Lumsden, to whose ability and diligence I am deeply indebted, and to whom I hereby tender my acknowledgments.

*10 November 1851. (signed) *Falkland.*

— No. 4. —

MINUTE by the Honourable Mr. *Blane.*

I SEE no reason to differ from any of the conclusions arrived at by the Right honourable President on the merits of this very intricate case.

2. At the same time one cannot but acknowledge that many of the facts are still involved in the most embarrassing mystery.

3. In regard to Joetabhaee, it is difficult to believe in the entire truth of her story, and to divest oneself of the doubts which there is so much room to entertain, of the child abducted from her having been actually a son by her deceased husband, and consequently of her title to all the sympathy which is sought to be attached to her long unavailing efforts to obtain any redress of the wrongs of which she complained.

4. With respect to Baba Nafra, his having been accessory at least to the abduction of a child is, I think, fully established; and even if a supposititious one, the forcible abduction of it constituted an offence in which his participation deprives him of all claim to the intervention of Government to relieve him from the penalty to which he has been subjected by the award of a punchayet.

5. In as far as the result of these inquiries has been to establish that Joetabhaee is to be regarded as an injured person, the hasty adoption by the officiating Resident, Captain French, of a conviction so unfavourable to her cause is greatly to be lamented, particularly as his proceedings are characterized by a want of patient investigation from which the explanation he has furnished has not, it is to be regretted, exonerated him.

24 November 1851. (signed) *D. A. Blane.*

— No. 5. —

MINUTE by the Honourable Mr. *Bell.*

THIS case is involved in such perplexing mystery, as to have caused me much hesitation in making up my mind.

Assuming, however, that the proceedings which have been held are in strict accordance with the practice prevailing at the Baroda Court, and as the conviction and sentence recorded have been passed by a punchayet convened by order of the Gaekwar, there is no apparent reason for disturbing either the one or the other, the members of the punchayet being much better able than we possibly can be to appreciate the value of the evidence adduced on the trial. I concur generally in the observations which this voluminous correspondence has elicited.

26 November 1851. (signed) *A. Bell.*

— No. 6. —

FURTHER MINUTE by the Right Honourable the Governor, without date, concurred in by the Board.

MY minute of the 10th instant may now be acted on.

(signed) *Falkland.*
D. A. Blane.
A. Bell.

— No. 7. —

No. 422, of 1851.—Secret Department.

From *A. Malet*, Esquire, Chief Secretary to the Government of Bombay, to Lieutenant-colonel *J. Outram*, C. B., Resident at Baroda.

Sir,

1. I AM directed by the Right honourable the Governor in Council, to acknowledge the receipt (on the 21st April last) of your letter, dated the 31st of the preceding month, with enclosures, reporting the result of your investigation into various

various complaints against Baba Nafra and others, preferred by Joetabhaee Setanee, the younger widow of the late Bechur Samuldass, of Baroda. In reply, I am desired to communicate to you the following observations and instructions of Government.

2. The direct and avowed object of this voluminous report is to induce the Government to confirm in its integrity a sentence of confinement in irons, and a fine of 15,500 rupees passed by a punchayet assembled at Baroda upon Baba Nafra, the Moonim Goomashta or managing agent of the banking firm of Hurree Buktee, of which firm the late Bechur Samuldass was the head partner.

3. Baba Nafra has been convicted upon the first of the three following charges, and in part upon the third:

1st. With having bribed certain koolies belonging to the British village of Meetapoor falsely to assert that Joetabhaee, the younger wife of Bechur Samuldass, had purchased from them a boy, which she had passed off as the posthumous child of her deceased husband, with a view to defraud the other widow and child of the deceased banker.

2d. That he had suborned false witnesses to assert, that the first spurious child having died, Joetabhaee, with a fraudulent intent, supplied its place by another boy, purchased from koolies of Amleeara, a village situated within the Gaekwar territory, but the property of the firm of Hurree Buktee, of which he, Baba Nafra, was the managing agent, and over which he exercised absolute control. This count was pronounced, not proven.

3d. That he had procured the forcible abduction of the boy whose spuriousness he had thus endeavoured to establish by the subornation of perjury, and as the abducted boy had died while in the hands of certain Arabs, to whose custody he had been consigned by Baba Nafra, it was further left to the punchayet to determine whether in addition to the crimes of conspiracy, subornation of perjury, and abduction, the Baba had not been guilty of the heinous offence of compassing the child's death.

4. The prisoner was found guilty of the first charge, of bribing the koolies of Metapoor, and of having caused a false deed to be written. On the second charge, the punchayet were not convinced that Joetabhaee had borne a child to her deceased husband (Beechur Samuldass), and returned a verdict of not proven. Upon the third charge, they found Baba Nafra guilty of the forcible abduction of a child from Joetabhaee; without, however, declaring that child to have been hers.

5. It might have been deemed sufficient had you submitted the proceedings on this extraordinary case to Government, in the usual course, with a clear and concise memoir, exposing the dark intrigues of which you believe Baba Nafra to have been guilty towards his mistress, and which had in part been proved.

6. It appears to Government that no more would have been required to induce them to refrain from interfering in a sentence passed upon a subject of their ally the Gaekwar, by a court appointed by that prince. You have, however judged otherwise, and openly proclaimed your fears lest Baba Nafra's influence should ultimately be exercised upon the members of this Government (for such is the plain meaning of your words), and lead to a mitigation of the sentence which has been passed upon this individual. To prevent this dreaded consummation, you have traced and exposed the frauds and deceitful policy of Baba Nafra with extraordinary industry and minuteness.

7. Whether you have succeeded in fathoming all the mysteries of these perplexing and obscure intrigues, Government are inclined to doubt, for reasons which will hereafter be mentioned, but you have done enough to have entitled you, but for certain considerations which will be subsequently noticed, to its approbation for the sympathy which you have shown for one whom you deemed to be a persecuted woman; for the protection which you have extended to her, and for the contest against the corrupt influence which you conceive to have been exercised against her.

8. It is not necessary in this place to notice more than one of the considerations which lead Government to qualify its approbation; it is the highly objectionable manner in which you have thought fit to place your researches

before Government, the terms you adopt, and the reasons you assign for using them.

9. These, in fact, are phrased in so ambiguous a manner as to convey to those who are ignorant of the facts of the case, a covert accusation against the Government for the part it has already taken in Joetabhaee's case.

10. You have divided your report into four parts. The first contains introductory remarks, which, for reasons which will be hereafter explained, in the opinion of his Lordship in Council, expose you to the charge of disrespect to Government.

11. The second portion of your report professes to contain the history of the case of Joetabhaee Setanee, to the commencement of the investigation conducted by you.

12. The third part comprises the revelations made to you at the residency by certain parties to the intrigues carried on against Joetabhaee.

13. The fourth part contains a sketch of the proceedings of the punchayet.

14. The first of these sections I am now desired to notice.

15. You consider the sentence passed by the punchayet upon Baba Nafra quite inadequate, and its leniency to be owing to a culpable sympathy with the culprit on the part of the court, composed of the culprit's own friends. You believe that you have satisfactorily demonstrated that Joetabhaee was the real mother of the abducted child, a point which will be subsequently referred to; and you state as the reason for entering into the case in such detail, your desire to prevent any clemency being shown to the convicted Baba Nafra in mitigation of the sentence. Such a result would be attended, you believe, "with the most calamitous moral and political consequences," by confirming the prevalent idea that Baba Nafra possesses some mysterious influence in Bombay.

16. You then proceed to state that Baba Nafra, unprincipled and unscrupulous as you have depicted him, had aspired to bribe the Hon. Mr. Reid, when recently a member of this Government. In the following paragraph (16) you bring forward the belief, so prevalent as you assume it to be at Baroda, that the higher officers of Government are not inaccessible to corrupt influence, as a full justification of the excessive length of your report. Not only this, but as supplying in your opinion a valid reason why the report should be attentively studied ere Government do aught that might be indirectly construed into a confirmation of the popular belief.

17. The Right honourable the Governor in Council can regard this in no other light than as the expression of your opinion, that Government would most probably act in this case so as to confirm the popular belief, if you did not take this extraordinary measure to prevent them, and that it conveys an indirect accusation that Government were likely to act on this report, without having made itself sufficiently acquainted with its contents.

18. You next proceed to enumerate the decisions of Government in other cases, which, in your opinion, afford examples why such a belief should exist; and finally you conclude the list with these remarkable words, in which (as if you had not already said sufficient to cast a censure upon the proceedings of Government) you state, without a word of explanation, what is unquestionably true in itself, but phrased in such a manner as directly to impeach the conduct of Government in the present remarkable case.

19. Additional confirmation, you observe (to the prevalent belief in the dishonesty of high government officers at the Presidency), has been derived from the fact that, during the whole of the persecution of the unfortunate Joetabhaee, Government never in one way or other interposed to secure a mitigation of the harsh treatment she suffered, though oft and loudly importuned by herself and her mother; while, on the other hand, no sooner was Baba Nafra placed in custody prior to trial, than Government hastened to express a hope that he would receive good usage.

20. This language, like that which preceded it, can hardly be read otherwise than as a direct accusation against the integrity of Government. It is no reply

to

to say that censure is not intended, that blame is not imputed to Government, but to the parties by whom Government has been misled. This may be all that you intended, but no one who reads the above in connexion with the rest of the first section, can, in the opinion of Government, be sure that this is the extent of your meaning; on the contrary, his Lordship in Council feels assured that a casual reader would construe it far otherwise.

21. In short, were the assumption that Joetabhaee has been harshly used at the hands of Government, maintainable upon the facts of the case, still the general tone of this section of your report cannot be viewed otherwise than as most improper and unbecoming when addressed to Government by an officer in your position.

22. One of the least objectionable consequences of this proceeding on your part is, that it in a manner obliges Government to stand upon its defence. But the grave responsibility which a subordinate incurs who places his Government in such a position as to feel it necessary to defend its acts, must be enhanced tenfold if it be proved, as will be subsequently shown, that in the case in question there has not been a single act, or order, on the part of Government which affords the slightest pretext for such insinuations.

23. It is true that in the 18th para. of your report you have expressed your implicit faith in the honour and immaculate purity of the Government, which, you have been pleased to add, you "esteem and honour;" your remarks, however, relative to the conduct of Government, and the low dishonesty imputed to it, is not the less calculated to impress those having access to your report with a different notion.

24. His Lordship in Council cannot, on the other hand, omit to notice the extraordinary impropriety of these remarks from the pen of a subordinate, as respects their avowed object of influencing the conduct of Government; they not only openly denounce, as pregnant with mischief and injustice, a decision differing from that which you have arrived at, but they appeal to considerations as properly influential with the Government, which are altogether alien to justice, and which in a case of this nature could only influence the weak, or the really corrupt.

25. In short, Government has been strongly and directly urged by you in the 17th para. to confirm the sentence passed upon Baba Nafra, not because it is right and just, but because, if his Lordship in Council were to modify or annul it, Government would incur the suspicion of wrong doing.

26. You have failed to perceive that suggestions of this nature are alike wanting in respect and decorum, because to suppose that they could possibly exert an influence upon the decision of Government, is to suppose that the public belief, on which they profess to be based, has some solid foundation.

27. Fortunately, as you may consider it, the guilt of Baba Nafra is too clearly established, if not to the extent believed in by yourself, at least to a degree which would necessarily preclude any desire to interfere with the sentence of the Gaekwar's Court, the judges who passed it being nevertheless, as you state, the Baba's personal friends.

28. The Right honourable the Governor in Council cannot permit equivocal remarks upon the conduct of Government, like those contained in your report, in such a case as that of Joetabhaee, to remain on record unrefuted. The machinations from which this lady is said to have suffered so directly challenge the best sympathy of Government, that his Lordship in Council would indeed regret that the smallest ground should exist for the supposition that these machinations had been encouraged or prolonged by any act or omission on the part of Government, which could expose it to the charge of unfairness, or to the scarcely less blameable imputation of neglect.

29. It is easy to demonstrate that in no single instance has an order been given by the Right honourable the Governor in Council which, on retrospection, is found to have been inconsistent with the rule of the Government in similar instances, as also with the equity of the case as at the time apparent from the best evidence at its command, and from the representations of its only possible

advisers and informants, the officers who successively have been in charge of the Baroda Residency during the progress of this intricate and perplexing case.

30. It is painful, however, to Government to observe that, severely as you have in your report censured your *locum tenens*, Captain French, for the part he pursued towards Joetabhaee, you are yourself personally answerable for much of that lady's sufferings.

31. Previous to entering upon an inquiry into the conduct of Government and its officers, with reference to Joetabhaee, I am desired to draw your attention to the following observations.

32. In the first place, I am directed to express the astonishment of his Lordship in Council that an officer of any political experience in this country should have used the language which you have employed in commenting on the belief in the efficacy of "khutput," which you state is so prevalent at Baroda; your remarks distinctly imply that the Government has occasioned this belief by its unfair decisions, and that but for such decisions no such belief would have been current.

33. In the minds of Asiatics, faith in khutput is unavoidable; it will ever co-exist with their idea that the Government, which is to judge the case, is in the possession of absolute power.

34. A slight acquaintance with mankind might have convinced you that where the interests, lives, and fortunes of the subjects depend upon the will or caprice of an absolute monarch, subject to the influence of those who surround him, men who have any object to attain will endeavour to secure that influence, rather than trust to the abstract justice of their cause, and that no laws can be devised that will eradicate the practice. Nor is it less certain that the native who has found the practice conducive to success within the sphere of his own experience, will, with difficulty, be brought to believe that it is not of universal efficacy, or that, partial to low intrigue himself, he will be induced to give credit, at the expense of his own self-estimation, to the existence either in individuals or in the governing body of these sentiments of purity and honour which are characteristic of an English gentleman.

35. Your acknowledged rectitude of conduct will necessarily exert a favourable influence upon those natives who are habitually brought into communication with you; you at the same time lay yourself open to the charge of credulity, if you imagine that the subjects of a native state, like Baroda, can be generally induced by any acts of yours, or of any other officers of Government, to abandon the belief which from time immemorial they, in common with other Asiatics, repose in the efficacy of khutput.

36. The difficulty of combating native impressions on a point like this, has not been inaptly illustrated by your own experience; an attempt was made to prove that the origin of the generous interest which you have taken in Joetabhaee's behalf was "the receipt of an enormous bribe." This attempt exemplifies the value which is set upon personal honour by the native community of Baroda; men do not suborn evidence to prove what all the world would disbelieve.

37. His Lordship in Council can well imagine that you view such a report with the scorn it deserves, and that your concern is truly and honestly for the honour of the Government you represent; but unless Government had, in your opinion, laid itself open to the imputation of deliberate unfairness, from motives of favour and affection, or upon still baser considerations, the tone and nature of your observations on the opinions current in Baroda upon the efficacy of khutput are altogether as irrelevant as they are unbecoming.

38 The peculiarities of the present case next require to be briefly noticed.

39. His Lordship in Council deems it scarcely requisite to call attention to the fact, that a subject of the Gaekwar, possessing the British guarantee, is not the less a subject of his own government; all that he can claim from the British Government, in virtue of the guarantee, is protection from injustice on the part of his Prince, whose proceedings, or the proceedings of whose court in the case of a guaranteed party, can be brought on appeal before the Resident.

40. It

40. It must be obvious, as the direct consequence of this most inconvenient and embarrassing of relations, that every act of direct interference on the part of the Resident will be regarded by the Prince and his subjects with a jealousy as natural as it is intense; while, on the other hand, every appeal to the Resident by a guaranteed subject will be viewed as an act of rebellion against his lawful Prince. It also follows, from the nature of the connexion, that the Superior Government at the Presidency, upon whom the ultimate disposal of every case may devolve, must be left entirely at the mercy of the Resident, whose authority and opinion, except under very extraordinary circumstances, it is almost compelled to support.

41. No other means of information are indeed at the disposal of Government, who cannot possibly act on the statements of the parties themselves, or confide in the fidelity of representations which are not vouched for by the same Resident.

42. So long as the guarantee system remains in force, Government must continue subject to these difficulties, and being aware of this fact, you should have hesitated before you used language so worded as to impute, or at least to seem to impute, partiality and favouritism towards Baba Nafra on the part of this Government.

43. I am next directed to take a review of the part which has been taken by Government in these transactions, dividing the same into the three following heads:

1st. The period from the commencement of the dispute to your departure on sick certificate from Baroda *en route* to Egypt.

2d. The period of Captain French's temporary incumbency of the Baroda Residency.

3d. The period subsequent to your return to Baroda.

44. From the two "memoranda of events," which were submitted to Government on the 22d March and the 14th April 1847, by Mr. Andrews, then in temporary charge of the Baroda Residency, this Government first became acquainted with the occurrences at Baroda, connected with the house of Hurree Buktee, which have led to all the subsequent proceedings in the case of Joetabhaee, but in which the Gaekwar had not at that period interfered, nor had any parties preferred complaints at the Residency.

45. Current report averred that the child of Joetabhaee had been ascertained to be spurious, and had been taken from her; that she had been confined, and had given a written confession of the fraud; that her father, Banabhaee, had in consequence been turned out of caste, and the child had been given to koolies, who claimed it; that Baba Nafra, the managing gomashta of the firm of Hurree Buktee, who had acted in the affair in a most authoritative manner, and was supposed to have the concurrence of the Gaekwar in his proceedings, must have known from the first that the child was not Joetabhaee's, whose mother was stated by Mr. Andrews in these memoranda to have first gone to the palace to complain, and afterwards to have escaped.

46. When these "memoranda of events" reached Government, the Council Board by which they were considered consisted of Sir G. Clerk, Sir W. Cotton, and Mr. Reid, Mr. Willoughby being then temporarily absent. The Board decided, very consistently with right and usage, that the matter was not to be noticed until a guaranteed party preferred a complaint.

47. On the 12th April 1847, Joetabhaee's mother addressed a petition to Government, and she was referred to the Resident at Baroda; and it was on the 3d May that one Ramdass Moneedass addressed a petition to Government, containing a very clear account of intrigues stated to have been put in motion by Baba Nafra to ruin his mistress. This petition not being preferred by a principal, or by a party directly interested, was, according to the invariable usage of Government in the like cases, so far disregarded, that he was informed that no notice would be taken of it (as not addressed to Government by a party concerned); the petition, however, was recorded, instead of being returned to the writer, as usual in such cases.

48. A petition from Joetabhaee herself was referred for report to you on the 23d July 1847, you having assumed charge of the Residency on the 26th May preceding. On the 4th of November following, you were requested to expedite your report on this petition, and on the 29th of the same month this call was repeated. Intermediately, you addressed to Government your first letter in this case, dated the 26th November 1847. In this letter you reported that the inquiry into the circumstances of this case had been deputed by his Highness the Gaekwar to a commission, consisting of Gopal Rao Myral, Meer Surfraz Ali; Trimbuck, Bappoo, shastrees.

49. You requested that Larbaee, Joetabhaee's mother, might be sent to Baroda, and also the petitions which had been preferred to Government by her and her daughter; you promised in this letter to forward the correspondence and report, together with the proceedings of the commission, when the investigation had terminated.

50. A second, and, for the time, your final letter on the subject, was received from you by Government, dated the 21st January 1848, submitting a request from the Durbar that Larbaee (Joetabhaee's mother), who had not arrived at Baroda, might be ordered to proceed there, which she was peremptorily told to do. On the 12th September 1848 you quitted Baroda to proceed to Egypt on sick certificate.

51. In the interim much correspondence had passed between yourself and the Baroda Durbar, which was subsequently forwarded to Government by your *locum tenens*, Captain French, who assumed charge of the Baroda Residency on the 2d November 1848, being a period of nearly two months after your departure.

52. In your report on this case now under acknowledgment, you have given Government to understand that you suspected foul play on the part of the Durbar long before you quitted Baroda, but that you could not interfere, as you would otherwise have done, in Joetabhaee's behalf, because, as you allege, all the principals were subjects of his Highness, and could only come before the Resident as appellants (para. 14 of Part II. of your Report). In the 15th para. (Part II.) you state you believed "that from no tribunal the Durbar could appoint was strict justice to be looked for on the part of Joetabhaee." The translated proceedings of your correspondence with the Baroda Durbar at this time, and the facts mentioned in the 27th para. of your Report (Part II.), certainly show that you used your best efforts to bring the proceedings of the commission of inquiry to a close, bearing patiently with obstructions on the part of Joetabhaee herself, persuading her mother, Larbaee, to submit to examination, urging the Durbar to excuse her seeming want of respect, and to take her evidence, and interfering to procure for Joetabhaee some amelioration of the hardships to which she was exposed.

53. Paras. 28 to 30 of your Report, Part II., which notice the communications on the 4th and 6th September 1848 between Joetabhaee and his Highness the Gaekwar, demonstrate the pains which were taken by you to ensure Larbaee a fair hearing. In your yad of the 6th September you reiterate the request made in your previous yad of the 4th, the motive of which is now stated to have been "to afford your successor an impregnable ground on which to take his stand in insisting on the examination of Larbaee being taken, and the inquiry brought to a close." No reply, you state, was received to this yad until the 16th September, being four days after you had left Baroda.

54. On examining your correspondence at this period with the Durbar in connexion with your present report, Government is entirely at a loss to understand how, with your opinions, you failed to leave on record for the guidance of your *locum tenens*, and also omitted to communicate to Government, in so intricate and important a case, the strong suspicions which you state you entertained that the punchayet did not act fairly to Joetabhaee.

55. You quitted Baroda on the 12th September 1848, without a sign, without a word to intimate your suspicions or intentions either to Government or to Captain French, your *locum tenens*. To the latter you bequeathed, indeed, a mass of correspondence with the Durbar in part translated; but that you entertained at this period a suspicion of unfair play can hardly be deduced with fairness

nesss from a close study of these papers, and would certainly not be suggested by a casual perusal of them.

56. You appear, however, from this report, to have been clearly aware, even previous to entertaining these suspicions, of the endeavours which the punchayet were making to defer the completion of the case until after your departure. Your avowed object was to get Larbaee's deposition taken, the proceedings closed, and the whole case transferred to the Resident. Government, as already mentioned, had repeatedly called upon you for your report on the case, and was in total ignorance of everything that had occurred, or was occurring. Desiring, as you did, that justice should be secured, and suspecting, as you did, that measures were in progress to thwart and prevent it, there was no course so obvious, and which gave such direct promise of good results, as to have communicated your opinion in the case to Government, and to have left a clear abstract of what had taken place, and of your suspicions and intentions, for the information and guidance of your *locum tenens*. It is to the neglect of this evidently necessary precaution that his Lordship in Council feels compelled to attribute the ill success which attended Joetabhaee's efforts to secure a fair inquiry, and which occasioned much of that lady's subsequent sufferings.

57. I am desired here briefly to notice your remark in the 17th para. of your letter: "Before leaving for Egypt, I mentioned Joetabhaee's case to Captain French, as one that would require considerable vigilance, with a view to defeat the intrigues of Nafra and Nursoo Punt." His Lordship in Council has been assured that Captain French has not the slightest recollection of any such warning having been given to him, though he remembers having had an interview with you previous to your quitting Bombay for Egypt, in which you spoke to Captain French on a variety of subjects, and that officer supposes that you then must have spoken on this, as you state that you did mention your suspicions. It is evident that you expected too much, if you imagined that a desultory conversation of this nature, mixed up, too, as the subject was with other matter, would have left a lasting impression on Captain French's mind. It is, however, clear that you ought not to have trusted to such a verbal allusion to a supposed intrigue, and that the admission that you made it convicts you of a very serious want of discretion; you should have made it officially to Government, as well as to your successor.

58. Had such a record been placed before Captain French, Government cannot suppose that that officer would have thought it right to substitute for an inquiry brought almost to a close, and which he could, if unjust, have set aside and rectified; new proceedings and a new court, the most influential members of which were the same biassed and unfair judges who had so long trifled with the inquiry and with the patience of the Resident, and whose award would now be final.

59. There was, indeed, on the face of the proceedings left behind you on your departure from Baroda for Egypt no evidence of the intention of the punchayet to behave unfairly so distinct as to be apparent to a stranger to the case; whatever conviction those proceedings might have suggested to one who had watched them from the commencement, there was nothing in them that Government can perceive even to induce a suspicion on the mind of Captain French that he was doing Joetabhaee an irreparable injury in recommending that the matter should be settled by a punchayet, to whose decision the parties were bound to agree, or to lead him to believe that the parties about him were endeavouring to cajole and use him as their tool.

60. A brief record from you of the grounds which you had for suspicion would in a great measure have protected your *locum tenens* against the intrigues going on around him, both at the Durbar and the Residency.

61. Your departure without a report to Government, or a line of explanation to Captain French, was, therefore, I am directed to observe, a very serious error of judgment.

62. Under the disadvantages of this omission and want of accurate information, as well as under the pressure of public business which necessarily follows the arrival of a new head of an office after an interval in which the office has been vacant, Captain French addressed to Government his letter of the 15th November

1848, to which such frequent allusion is made in your Report, Part II. You have in this report severely commented upon this letter, and the proceedings to which it gave rise, and with what justice must be inquired into.

63. It is not, however, the present purpose of Government to comment upon Captain French's proceedings as they regard Joetabhaee; it is that officer's report to Government, dated 15th November 1848, which now requires consideration.

64. It must be borne in mind that since the 21st January 1848 Government had not received a line from you on the subject of Joetabhaee's case; Captain French's letter of the 15th November following was the earliest information which had been furnished subsequent to the date of that despatch. The Government had been left by you without any intimation of the progress of the case, or any clue to guide them or arouse suspicion, precisely as Captain French had been left; and whatever faults may be imputed to that officer, it cannot be said that he slumbered on his post. He took charge of the Residency on the 2d November 1848, and his first report on this case is dated the 15th of the same month.

65. In this report Captain French represented that the case was undisposed of, and seemed as far from an amicable settlement as ever. He at the same time deprecated the hearing of the parties through hired vakeels, "whose object must be to embroil all;" he spoke of "subterfuges and evasions," on the part of Joetabhaee and her parents; and after stating his impression, derived from experience, that few, if any, disputes connected with banking houses adjudicated through the British Government, or by its instrumentality, had held good, he proposed that a punchayet should be appointed, each of the widows (then adversely disposed) naming two members, and conjointly a fifth.

66. No other course was manifestly open to Government, totally unapprised as it was of the sentiments you now state that you at that time entertained, but to sanction the measure proposed. The point to which the inquiry had advanced under the native commission, during your incumbency, had not necessarily approximated to an immediate and final decision. The information furnished by Captain French led directly to the conclusion that no material progress had in reality been made; the proposition seemed in itself to be reasonable, and though it was foreseen and remarked that it would be exceedingly difficult to convene a punchayet who would act with strict impartiality, yet it was clearly very desirable to avoid, if practicable, a direct inquiry on the part of Government into a family dispute of this nature.

67. Government, accordingly, on the 18th December 1848 (in reply to Captain French's letter of the 15th of the preceding month), assented to this suggestion. If Government were mistaken in this acquiescence, the fault must rest between yourself, who had neglected to state what you knew and believed, and Captain French, who had stated what he had not ascertained positively to be the case, although he believed what he stated.

68. Of the translated accompaniments to Captain French's letter (of the 15th November 1848), I am desired particularly to notice Nos. 19, 20, 28, 29, 42, 47* and 48. It is very difficult to suppose that Captain French had not read these papers, and was not aware of all that had previously taken place; but they contain nothing to satisfy the Government of the unsoundness of Captain French's assurances, or that the proceedings of the commission appointed by his Highness should in effect have terminated with the taking of Larbdee's evidence. The impression their perusal leaves on the mind of his Lordship in Council is simply

---

* *See* particularly No. 47, a yad from Joetabhaee, dated the 14th February 1848:—

"I cannot approve of the proceedings in this case, for there is so much partiality and ill-feeling going on, &c. &c."

"The evidence of several of his Highness's servants are very necessary in my case, and I cannot understand the proceedings of the punchayet, who carry on the investigation without any reference to me, with a view to injure me as much as possible."

She states that she did not like the appearance of the people (*i. e.* the Commission), and requests the Resident, as the inquiry had been going on for eight months without an issue, to investigate it himself.

simply this; first, that they manifest a sturdy resistance on the part of Joetabhaee to the commission appointed by the Baroda Durbar, and a leaning on the Resident for support. Second, that the Gaekwar was nettled at this summary denial of his authority by his own subject, and complained to the Resident, who took no notice of his complaints, but did his best to remove objections, and assist Joetabhaee. As to Larbaee, Captain French may have regarded in a far different light from yourself what you term in para. 34 of your Report (Part II.), the "most touching evidence of her confidence in British honour in refusing to detail the evidence in her possession, and which she intended to adduce when the case came under appeal at the Residency." Larbaee had, in fact, not given her evidence, and it is rather too much to expect the Gaekwar Court to admit such a reason for her refusing it; she had complied in form, but not in substance. You seem altogether to overlook the fact that the Gaekwar, and not yourself, was Larbaee's sovereign; that his court was the court of trial, and that Larbaee was not therefore justified, whatever her suspicions may have been, in withholding evidence necessary for a decision, with the intention of giving it in appeal before the Resident, nor had she a right to dictate the terms on which she would give it. His Lordship in Council would not be understood to mean that Larbaee was not free to refuse to plead. But Government altogether dissent from you in your arguments to show that Larbaee's having deposed that she had evidence to adduce, but would not adduce it, except on her own terms, the inquiry should have necessarily closed, or that Captain French should have considered himself warranted in sanctioning so open a contempt of the legitimate tribunal, and so flagrant an act of interference with the authority of the Prince at whose court he was Acting Resident, by taking the evidence himself.

69. The second letter from Captain French upon this case, is dated the 22d February 1849. In this communication he reported the refusal of Joetabhaee to agree to a punchayet, described the facts of her case, as currently reported, in terms most unfavourable to that lady, averring that there had been two supposititious children, as stated in Mr. Andrews' two memorandums above alluded to, and that the imposition was notorious throughout the town, and a general scandal; he at the same time recommended that the guarantee which had been given to the firm should be cancelled.

70. In reply to the above communication, Government declined to interfere further in Joetabhaee's case, but refused to recall the guarantee, and punish the innocent heir, the son of the elder widow, together with the guilty stepmother, it being at the same time stated that Government did not, "as informed," perceive the grounds of the Resident's suspicion that Baba Nafra had been a party to Joetabhaee's fraud, but sanctioned his dismissal by the elder widow, if this fact could be established.

71. Nothing could be more proper than these instructions, according to the information which Government then possessed, though nothing perhaps can more clearly show the difficulties attending the fulfilment of the conditions of a guarantee than the contrast between the past and present correspondence.

72. Other petitions were subsequently submitted by Joetabhaee, but the subject had now been closed as far as Government were concerned, and she was referred to that decision.

73. Government could not with propriety pay any further attention to the unsupported statements and remonstrances of this lady. Independently of the general and self-evident objections to availing themselves of the power of the guarantee, except when imperatively required to do so, Joetabhaee had been from the first unfavourably known to Government, who had no reason for supposing that she had been denied any facilities for establishing her case, had it been a just one. The members of the Board were personally aware that as far as Government were concerned (however unfavourable the reports which had been made regarding this lady), by them at least she had not been prejudged. Her petitions in 1847 had been referred for investigation and report to the Resident. Again and again had Government renewed its calls upon you for information and opinion. Time had passed; after a period of four months Government was told that inquiries were in progress, but nothing more was made known to Government by you. Subsequently Government was informed by Captain French, your *locum tenens*, that there seemed no prospect of a satis-

factory settlement, or of a termination of the case, owing to the contumacious conduct of Joetabhaee and her friends. In compliance with Captain French's advice, Government had given her a final opportunity of settling her dispute in strict conformity with the usage of the country; and she, as Government was told, had refused to submit to it.

74. It is manifest from this recapitulation, that Government had done its best to secure justice to the parties concerned, and that it could not be expected in the above stage of the proceedings to pay attention to Joetabhaee's further representations; nor when a decision has once been arrived at, on apparently just grounds, is it the practice of Government in any instance to re-open the subject, except under unusual circumstances, and upon fresh and previously unconsidered grounds.

* Dated 10 May and 21 July 1849.

75. Two other letters only, of a later date,* were received on Joetabhaee's affairs, from Captain French; both of these communications held out hopes of a reconciliation taking place between the widows if Government would persist in its non-interference. The letters connected with this case which Government next received, were from yourself, after your return from Egypt.

76. It is deemed by Government that, considering your previous suspicion of unfair practices, as mentioned in your present report, it is singular that you at first coincided in the propriety of the measures recommended by Captain French. You state in your letter dated 24th June, No. 135 of 1850, "That although it is possible, and you think it very probable, that the petitioner (Joetabhaee) has experienced foul play at the hands of that notorious individual Baba Nafra (it is to be observed that you say not a word of the commission): yet you see no possibility of a dispute of this nature being adjusted, excepting through the medium of arbitrators, as suggested by Captain French."

77. You have explained in para. 137, Part II. of your Report your reasons for falling into this seeming inconsistency. You considered that the question was settled, and that an arbitrator was the only chance left to Joetabhaee of obtaining justice; still your opinion is given in very unqualified terms, and such as are calculated to satisfy Government of the good judgment exercised in the matter by the acting Resident, Captain French.

78. In your letter dated the 11th July, No. 158 of 1850, you announced to Government the revelations made to you at the Residency, by some parties connected with the house of Hurree Buktee, and the arrest of Baba Nafra, on charges of abduction and murder; you further solicited that Joetabhaee, then in Bombay, might be desired to return to Baroda. On the 29th of the same month you were, in reply, informed, that Joetabhaee had been told to return, and it was added, "With reference to the suspicions which Joetabhaee's conduct in declining the method of inquiry approved by Government, had given rise to," that Government relied on you for the good treatment of the parties pending any inquiry which might take place, or, in other words, that Government believe that Joetabhaee's refusal to submit her cause to a punchayet, indicated her consciousness that it was a bad one, and if she were guilty of the fraud imputed to her, it was presumed that she would not hesitate to use unfair means to injure her opponents, or to charge them falsely with atrocious crimes.

79. When the representations which up to this period had been made to Government are taken into consideration, it would indeed have been surprising if they had not, at the first glance, viewed such charges with distrust, and considered it necessary to caution you against premature severity to parties judged up to this period to have been in the right, and possibly, therefore, the objects of a revengeful intrigue.

80. These are the last instructions which were given by his Lordship in Council in Joetabhaee's case. The letters of Government in this case have been one by one brought under review, and from the beginning to the end his Lordship in Council can find nothing in them to justify you in instancing the conduct of Government as calculated to support the idea which you aver was prevalent at Baroda, that Baba Nafra possessed influence at Bombay.

81. If, on the other hand, you have rightly assumed that Captain French was made the tool of Baba Nafra through the influence of his secret colleague

Nursoo

Nursoo Punt, the fact is of a nature which would have speedily gained circulation in the city, and would of itself have accounted for any treatment which Joetabhaee received at the hands of the Resident, without reference to the Baba's presumed interest at Bombay.

82. I am next directed to review the conduct of Captain French towards Joetabhaee, while Acting Resident.

83. That this officer was not assisted by Nursoo Punt in becoming acquainted with the case; that he was even deceived by Nursoo Punt as far as misrepresentation could be indirectly used, is very probable, and would seem indeed to be demonstrated by you. But neither Nursoo Punt's conduct, nor the recommendations of Captain French, in his letter to Government of the 15th November 1848, deserved the high colouring which is given to them in your report.

84. The expectations which in the 35th para. of your Report (Part II.), you state that you entertained in regard to the course which Captain French would pursue, are not warranted by anything on the face of the proceedings. Captain French found this voluminous case waiting his arrival at Baroda, and after the great delay which had taken place on your part in replying to Government, he doubtless thought that it called for his immediate attention. No clue was provided to its intricacies, and if he mastered the voluminous details, it by no means follows that he should have taken the same view of them as yourself: you, as already stated, had left on record no analysis of the case as far as it had gone, and no memoir of your views regarding the justice of Joetabhaee's claims, or your suspicions of foul play on the part of the Durbar. The neglect of this precaution was followed by the natural results. Captain French was thrown upon Nursoo Punt for information. Even a cursory inspection of the papers would have convinced him, that if the Durbar, on the one side, had shown no extraordinary anxiety to close its proceedings, obstacles had, on the other hand, been thrown in the way of a final settlement by Larbaee, Joetabhaee, and her party. From what has since transpired it may safely be presumed that the influence of Nursoo Punt would not have been wanting to lead the Acting Resident to apply to this case a specific treatment, which Captain French had long previously concluded to be the best in all such cases, and the only course indeed which, in his opinion, promised to open an easy way to a satisfactory decision.

85. Such disputes, he informed Government, he believed were only to be settled by amicable arbitration, and with this firm persuasion it is not extraordinary that he should have considered the measures which had previously been pursued, to have been a series of mistakes. It by no means follows, as you appear to argue (particularly in paras. 49 and 50, Part II. of your Report), that Captain French was ignorant of the stage at which the proceedings had arrived, or that he was necessarily in error in abandoning the policy pursued by you.

86. The following, among the accompaniments to Captain French's letter of the 15th November 1848, tend to show the contrary:—

No. 19. In which the appointment of a commission by the Durbar to inquire into Joetabhaee's case is distinctly stated.
No. 20. Relative to witnesses being summoned.
No. 28. Mentioning the names of the four assessors.
No. 29. Which states that, to complete the investigation, Larbaee's evidence is required.
Nos. 42 and 47. In which, as before noticed, Joetabhaee states that she cannot approve of the proceedings in the case, because "there is so much partiality and ill feeling going on."

87. It appears to Government that the above documents might have suggested to the mind of Captain French the expediency of an inquiry before another tribunal; and if so, all the arguments adduced by you to show that Captain French was grossly and directly deceived by Nursoo Punt at this stage of the case, fall to the ground. It is probable that he was only not informed by that individual, and so far Government agrees with you in regard to Nursoo Punt's conduct.

He might, doubtless, have thrown much light upon the case, and your resolutions and opinions as affecting it. This he did not do; and in your remarks in para. 53, Part II. of your Report, on this individual's conduct, Government concur.

88. It is also evident, from the ramifications of the intrigue at work against Joetabhaee, that the plan of settlement proposed by Captain French, though this was unknown to him at the time, would, if agreed upon, have deprived Joetabhaee of her last hope or chance of justice.

89. Hitherto Government have been able to account for Captain French's conduct; his proceedings at a later period are far from satisfactory. It is clear that he had imbibed the most unfavourable impressions against Joetabhaee. Instances of this feeling may be observed in Part II. of your Report, paras. 57 to 63 inclusive.

90. Captain French's letter to Government of the 22d February 1849 is open to objection, as unwarranted by the facts. In that communication he informed Government that Joetabhaee had refused to consent to a settlement by punchayet, and submitted a yad from the Baroda Durbar of the 15th of the same month, in which it is stated that she will give no reply to the Durbar, and had even refused to attend when sent for by the mother of his Highness the Gaekwar.

91. In the 64th para. of your report, you show that this statement on the part of the Durbar was contrary to fact, and Government cannot but censure Captain French for having taken this assertion for truth without due inquiry, notwithstanding the contrary tenor of Joetabhaee's own letter to himself. In this report, which ought never to have been made by Captain French, except upon the best and surest foundation, he stated his belief that there was no one in Baroda who doubted that Joatabhaee had introduced supposititious children into the family as her own.

92. There is certainly room for believing, from the whole tenor of Captain French's proceedings at this time, that he was strongly influenced against Joetabhaee, and Government see no reason for differing in opinion with you that he was so influenced by Nursoo Punt, whose connexion with Baba Nafra it would appear that Captain French neither knew nor suspected.

93. There is much in para. 83, of Part II. of your Report which supports this conclusion. On the other hand, much of your reasoning on this part of the report to establish the fact of the child, which passed as Joatabhaee's, having been her genuine offspring, appears to be forced and over strained; but Government forbear for the present to enter upon this part of the subject. It was in the same letter from Captain French (dated the 22d February 1849), that the suggestion was made to cancel the guarantee. This, as already noticed, Government justly refused to do; but, relying, as they were forced to rely, upon their Resident's report of the case, they declined to interfere further in behalf of Joetabhaee.

94. The remainder of the second part of your report is a running commentary upon Captain French's proceedings in the case of Joetabhaee. It evinces how strongly unfavourable were the impressions which had either arisen from the correspondence which had passed between this lady and Captain French, or had been excited by others against her in the mind of that officer, and which led him to treat her representations with unbecoming indifference.

95. Government is convinced that Captain French is incapable of trifling with the feelings of a defenceless woman; but the only excuse his Lordship in Council can devise for his letter to Joetabhaee, dated 5th April 1849, and which is repudiated by his defence of it, contained in the paras. of his replies to your charges is, that it was carelessly drafted, and signed without that attentive consideration which such a communication required.

96. Captain French's conduct in other instances is also censured with much severity; but you were in no ways warranted on the above grounds in condemning in such harsh language the policy and conduct of an officer, your *locum tenens*, and your equal in official position, who exercised the same powers, and acted with as free a discretion as yourself. If the present report may be considered to establish that Captain French throughout the case was unsuspicious of his chief native assistant, upon whose advice he too much relied, it must

must not be forgotten, on the other hand, that that person had been absolved by Government from your accusations, and that the strong prepossession which Captain French appears to have imbibed against Joetabhaee, at a very early period, could not fail to exert a most prejudicial influence upon any representations which might emanate from her. Once satisfied in his own opinion that she was an imposter, and surrounded on all sides by people who were watching for an opportunity to give a false colouring to all she said, and to deny whatever she asserted, it is more a subject for regret than for surprise that Captain French turned a deaf ear to her petitions, and saw nothing in them to arouse his suspicions, inasmuch as her resistance to his own proposal of a punchayet, and attempt to avoid it, would naturally be regarded by him as a perverse endeavour on her part to escape a searching and honest scrutiny.

97. Government also bears in mind how delicate and disagreeable a duty it must have been for a newly appointed Acting Resident to be compelled to adopt a dictatorial and offensive style in the frequent communications which necessarily passed between him and the high officers of an independent government, the favoured and trusted of the Prince, upon a matter affecting that Prince's own subject.

98. How far that interference should be carried was with Captain French a matter of doubt. The close and constant interference which latterly you have yourself exercised in this case in your more recent proceedings, can perhaps be only justified by the unexpected disclosures made to you at the Residency.

99. Government cannot doubt that when you addressed Government in your letter of 24th June 1850, you did hope, as you observe in your 137th para., that Government might still permit Joetabhaee to submit to the proposed arbitration, and you stated in that letter that you suspect Baba Nafra (not the Gaekwar Durbar) of foul play.

100. Had no discovery been made, and the case allowed to run its course, it is notwithstanding impossible to say, from the concluding words of that letter, that you would have considered it necessary to interfere with the proceedings of the punchayet, as you have with those of the court which tried Baba Nafra.

101. Captain French has been called on for his explanation on those points, in his measures which have been made the subject of comment by you, and it is sufficient here to state that Government does not in the least doubt that he acted in good faith, and to the best of his judgment.

102. I am now to proceed to communicate the observations of Government on the case itself.

103. The Right honourable the Governor in Council considers that the main question is, whether you have established that Joetabhaee Setanee really did bear a posthumous son to her husband Bechur Samuldass, at the time, and under the circumstances stated by her. There is evidence upon this point, both direct and indirect; the former is verbal, and is deposed to by her immediate relations, friends, and dependents. The principal oral evidence to her confinement is that of her father Banabaee, her mother Larbaee, her dependents, Munchee and Gungee, the wetnurse, and the connexion and friend of the family Malia Koer. The strongest oral testimony against her statement is that of the woman Punnee.* If, as the medical committee and yourself have attempted to show, her evidence is worthless, it cannot be forgotten that the same motive (self-interest) which is supposed to have induced her to persist consistently in her false statement, may have influenced the testimony of Joetabhaee's nearest relations on the other side, and strict impartiality should therefore lead Government to regard such evidence with equal suspicion.

104. This evidence goes directly to establish that Joetabhaee was confined of a son in her father's house, 3½ months after her husband's death, and that she suckled the child herself.

105. It

* *See* the significant answer, H. 85, of witness Rewa:—"As to the good news, I know nothing."

105. It is the misfortune attendant upon all investigations in this country, depending on oral testimony, that from the highest to the lowest, truth is regarded by the native, where opposed to his interest, as folly; false evidence in such a case is given, or procured with the most reckless disregard of justice, but with a circumstantiality and consistency which would frequently baffle the most experienced cross-examiner to expose.

106. The oral evidence adduced by Joetabhaee, but for this cause of distrust is, I am directed to observe, strongly in favour of the truth of her story. It appears consistent, and has satisfied the medical committee, in connexion with the ascertained fact, that Joetabhaee has on some occasion given birth to a child. You are also convinced of the truth of her statement.

107. I am, however, desired to remark, that though, after an impartial examination Government does not feel justified in setting aside your conclusions, the entire evidence recorded in the case has failed to establish, in the opinion of Government, a positive conviction on this point; the reasons for doubt have each and all been replied to in their turn, and much argument, which cannot upon the premises be termed unwarrantable, has been used to refute them; still they have not, in the opinion of Government, been fully and satisfactorily met. A strong impression is left that the whole truth has never been divulged, and that the question of Joetabhaee's real or pretended confinement on the occasion in question is still a mystery.

1. Joetabhaee was married to Bechur Samuldass in the year 1839, in the month Wysak (April or May); she must at that period have been at least 10 years of age, a period at which, or close upon which, the women of this country are commonly capable of bearing children; she is stated in her deposition given before you on the 4th September 1850, to be then about 21 years of age. [*See* (F.) 33. 88.] Her first child was born, if born at all, on the 22d December 1845, or 6½ years after marriage, and it is not pretended that she was ever previously *enceinte*. It is by no means an unusual occurrence for a woman to prove prolific after having been childless for a considerable period; still the chances are against a female who has been barren for several years immediately following marriage, becoming fruitful, especially at a time when her husband's health would seem to have become seriously impaired.

2. At the time the child in dispute is alleged to have been born, the circumstances of her bearing an heir to Bechur Samul made all the difference to her between comparative poverty and insignificance, and the rank and consequence belonging to a mistress and co-partner in the most opulent banking-house of Baroda. To bear a child at that period was, in fact, to be rescued from loss of station, and from comparative obscurity. This strong and direct motive for setting up a spurious child, lends strength to the consideration of the improbability of her becoming a mother as just noticed, inasmuch as it affords reasonable foundation for strong suspicion.

3. This suspicion is still further increased by another extraordinary circumstance. Joetabhaee menstruated until within eight days of her husband's death. Government entirely set aside in the present consideration the verbal evidence of the witness Punnee, that she menstruated after that event, and that her mother cleansed her linen to conceal the circumstance. But the fact that she did menstruate until within eight days of the period of her husband's demise is admitted, and that her confinement occurred only 3¼ months after that event. The medical committee (in their Report L.) have satisfactorily established that married women with child do occasionally menstruate until within a short period of their delivery; still the fact is undeniably out of the general or usual course of nature, and thus if Government believe in her confinement, there are not one, but two natural improbabilities to be overcome.

4. Bechur Samuldass died on the 3d September 1845: the date of the child's alleged birth was the 22d December of the same year, or about 3½ months after his demise. The child being of its full time, as stated in the evidence, Joetabhaee must have become *enceinte* about the 22d March preceding, or thereabouts. But the general impression which is derived from the entire evidence on the subject, notwithstanding your arguments, is certainly

that

that Bechur Samul had been in a very poor state of health for a considerable period before his death, and that the probabilities here too, as before noticed, were against his having been the father of the child said to have been born to him by Joetabhaae. This state of his health for some period antecedent to his death has not been ascertained with sufficient accuracy; but it may be gathered from the evidence that he was seriously indisposed for a considerable period antecedent to his demise, though it was only latterly that symptoms of urgent danger were apparent.

5. Joetabhaee was brought to bed in her father's house. This has been shown to be customary; nevertheless it must be admitted that the practice furnishes great facility for that sort of imposition which Joetabhaee is charged with having committed.

6. There are no indications whatever in the evidence that Bechur Samul was aware that his wife was in the family way. Joetabhaee states that she informed* him of the circumstance. She would of course say so, but the evidence is strongly against the supposition. The circumstantial account of the placing of Maha Luxmee's child, Parshotum, in her lap, with her husband's consent, a short time before his demise, a fact which is considered by Government to have been proved by the evidence, and which, notwithstanding her subsequent denial or qualification of the statement, it seems that she did admit before the punchayet, remarking that it was done "to reconcile her," affords a strong presumption that the dying man was not aware of his wife's condition. Other unfavourable impressions are excited by the body of the evidence, tending to show that Joetabhaee first publicly made her condition known to her friends after her husband's death. Another strong and unfavourable feature in this case is the course which it is asserted was taken by the caste in deciding that Joetabhaee's child was the son of a koolee, and turning her father and family out of caste in consequence. A great deal has been said by you of Baba Nafra's influence, of the conspiracy by which he endeavoured to persuade the Veesa Laud Baneea caste that Joetabhaee had defiled her own family, and therefore all who had come into contact with them, by introducing a koolee child into the house. But Government must question whether any influence, however strong, of an individual not of the caste, or any intrigue of Baba Nafra's, such as that of sending the Meetapoor Koolees into the city, and the production of Banabaee's reputed bond, would have induced a caste so powerful and wealthy as the Veesa Laud to have received the story of Joetabhaee's guilt without examination. They would not at once have condemned and excommunicated a widow of their principal family, as it would appear that they did, the child being the heir to immense wealth, and betrothed to the daughter of Gopal Row Myral, one of their most influential men, one of Baba Nafra's judges, unless strong and general suspicion of fraud had been pre-existent in their minds, and that on the charge having been preferred they had disbelieved in Joetabhaee's having been a mother. In the usual course of things, it is not probable that two or three interested parties only should have been aware, by ocular observation, of such a fact, as that a lady in Joetabhaee's position had been *enceinte*, had borne a child, and nursed it; such a circumstance should have been placed by the evidence beyond a doubt. Numbers of the women of the caste should have been able to depose, from personal knowledge, to the truth of the story. The wife of such a man as Bechur Samul must, it is presumed, have been regularly visited by all her respectable fellow-caste women. It is only on the supposition that her conduct as a young mother had induced suspicions that his Lordship in Council can account for this sudden and summary condemnation, which there is enough upon the record to impress Government with the belief was the consequence of Baba Nafra's accusations. Here I am directed to notice an instance of what is regarded by Government as the forced constructions often put by you upon evidence. Either Joetabhaee was or was not expelled from caste. It would appear that she had been; but the fact one way or

* Larbaee [*see* Appendix (F.)] states that Joetabhaee informed her of the fact three or four months after pregnancy, and before the Sett's death, who often spoke to her on the subject. The facts on evidence are apparently irreconcileable with this statement.

or the other is of importance: it was reported to Mr. Andrews; and even if falsely so, reported to him by Nursoo Punt. The truth could have been easily and definitively ascertained from various quarters, since the fact of her expulsion must have been patent to numbers both in and out of the caste, and capable of demonstration beyond a doubt. As evidence, nothing can be more meagre, improbable, or unsatisfactory than the statement of the principal "Setts," relied upon by you. It shows that they met at Baba Nafra's summons; that they were informed by him that Joetabhaee had committed an act which must, if believed, have infallibly been followed by her immediate expulsion from caste, and if disbelieved, must have been as publicly protested against as it was made. Her expulsion or justification became, indeed, a matter of personal as well as of general interest to the whole of them. It was formally notified to them, that the child of one of their chief families was the son of a koolee. If this were true, it is more than probable that he had polluted half the caste, for pollution is communicated by the child's immediate friends to all who have intercourse with them, who eat or drink with or touch them. Then, too, whether the Setts of the caste who were assembled examined no witnesses on this essential point, as they allege, or whether they did examine Thakoor Ameersing, as stated by the latter [*see* Appendices (J.) and (M.)], must be believed or disbelieved upon a comparison of collateral facts.

108. It appears to Government quite impossible to credit that Baba Nafra, who had called the Setts together to expose Joetabhaee, and who had brought the Metapoor Koolees to Baroda expressly to prove his accusation, could have failed to employ that powerful engine for effecting her disgrace which he possessed in the forged agreement between Banabaee and the Metapoor Koolees, or to have omitted to summon the evidence at hand to ensure her conviction. It seems, indeed, that this statement of the Setts which is quoted by you as evidence, is a document that bears evasion on the face of it, and should have led to a stricter examination into the circumstances. It is exactly what might be expected of cautious and timid sowcars, called on to give public evidence in regard to a circumstance likely to affect the character of their caste, and involve all in a notorious and common scandal.

109. The reasoning put forward by you in Appendix (N.), to establish the falsehood of Joetabhaee's reported confession, does not convince Government that it is a forgery of a subsequent date. The notice in the late Mr. Andrews' report, that a confession in writing had been taken from her, renders it extremely probable that there either was a genuine or forged document of the kind at that period; and if a forgery were intended, it is not probable that any fear of detection by you would have led to its being postponed until your departure. The parties who planned the Metapoor conspiracy were not likely to flinch from this, when there was but a single statement to confirm; and the evidence of the witnesses, if false, could only be rebutted by Joetabhaee's unsupported denial.

110. I am now directed to notice some of the most weighty arguments in Joetabhaee's favour. The strongest are the facts that she has borne a child of the full period; that she suckled it; that the child was accepted by the rival wife, Maha Luxmee; that it was accepted by the caste, and acknowledged by the Gaekwar, when he visited the house on the occasion of the child being named; that it was betrothed to the daughter of an opulent banker; and that it was not until the occasion of the Metapoor conspiracy, as arranged by Baba Nafra, that any doubts of the child's legitimate origin were expressed. It is also argued, though not directly bearing on the point, that if any supposititious child were introduced by Joetabhaee, Baba Nafra must have been a party to the fraud. The fact of Joetabhaee having borne a child has been established by the evidence of Dr. Davey; but that gentleman, in reply to a call from Government for information on the point, has stated, that, whether this event took place one year or five years before he examined her, or indeed within any particular period since she became marriageable, it is impossible from the indications noticed to assert.

111. The strongest argument in favour of the child being the child of Bechur Samul is the negative evidence afforded by the circumstance that it is not shown or asserted she had a child at any period before his death, and that she has not been

been accused of having been *enceinte* since that event. The strength of this argument is fully admitted, nor is it even fair to assume from anything on record that she could have borne a child since her husband's death, except at the time she states, without her condition becoming known. Still Government are so little informed of her private history since her marriage, and between that event and her husband's death, that the fact stated by Dr. Davey cannot be considered to be conclusive as to the truth of her having borne a child to Bechur Samul.

112. The evidence that Joetabaee suckled her child is favourable, as far as it goes; but it would have been well had evidence of a less exceptionable nature been tendered to establish the fact, which might assuredly have been adduced if the fact be as stated.

113. It is deemed by Government that your reasoning on the strength of the evidence derived from the general admission of the child by the caste and by the Gaekwar, may be considered rather overstrained by those who are familiar with native views and usage.

114. The standard of morality, as well as the mixed character of the motives which regulate the conduct of a Hindoo, in a case like the present, will be found to differ very widely from what would obtain, or be professed among Europeans.

115. You observe in your 40th para., Part II., "Had the alleged impotence of Joetabaee's husband for many months been a matter of universal or even general belief, or had it been universally or generally believed that Joetabaee had never been pregnant, it is difficult to conceive how the announcement of her delivery of a son, who, if recognised, was to inherit almost untold wealth, should have failed to excite at the time a very general suspicion of fraud." This may be just enough; but when it is added "that no such suspicions were awakened is demonstrated by the recognition of the boy as the posthumous son of the late banker, not only by his caste, but by his sovereign, and by the relations of the banker's other widow, whose son's prospects were so materially damaged by the advent of the second boy," Government are by no means inclined to receive your dictum with the same implicit confidence. So also in your argument, in alluding to the non-attendance of Sir Robert Arbuthnot at the naming of the child (para. 83), you have satisfactorily accounted for Sir Robert's absence. But the weight to be assigned to your reasoning, "that it is absurd to imagine that a respectable member of the banking community would have betrothed his daughter to a child notoriously the son of a low caste koolee, or that the betrothal, like the previous ceremonies (the giving a name), would have been graced by the presence of the sovereign, and confirmed by the sanction of the heads of one of the strictest and most punctilious of the castes, had it been notorious that the child was a spurious one," will depend upon what is meant by notoriety.

116. Many a fact is whispered about in a native bazaar until it becomes a bye-word, which, if publicly advanced as fact by a responsible party, would influence the interest and position of individuals belonging to castes much less tenacious than the Veesa Laud; yet, though the thing averred be generally believed, it in no respect alters his position, if influential, so long as public scandal be avoided. Assuming that stories to the disadvantage of Joetabaee and her child had been commonly bruited about, so long as there was no probability of the fact becoming published to the caste by formal charges being preferred, the story would be noticed, if noticed at all, as scandalous gossip. Both would be protected; the confinement of the lady left unquestioned; the native Prince would visit, the caste would receive; and, under such circumstances, the influential member of it would not refuse to betroth his daughter to the suspected, but wealthy child.

117. As regards the evidence that the child's reputed stepmother, Luxumee, did acknowledge its paternity for a certain period, and admitted that her rival Joetabhaee had borne a child, it is most obvious, not alone from concurrent opinions on the point, but from her own contradictory statements and extraordinary conduct, that the elder widow is a person of weak intellect.

118. It is easy to see that from the first she had been a mere puppet in the hands of Baba Nafra, whose advice she seems to have implicitly followed until

the tide began to turn against him, when, as might be expected from a timid and incapable person, she had suddenly and entirely cast him off. Government cannot believe her statements that she was not aware of the contents of her several petitions said to have emanated from Baba Nafra. It may indeed be assumed, without any violent improbability, that she would sign whatever Baba Nafra told her to sign, so long at least as she was under his influence. But that he went through the form of consulting her, and kept her informed of all he did in her name, there seems no reason to doubt; it was his interest to act with and by her, and to let it be known that he did so. To suppose that a person so weak and irresolute, if she were not advised by the Baba at the time to contest the legitimacy of Joetabhaee's child, or if she received no encouragement from him to do so, may have refrained from doing it, involves no violent improbability.

119. Baba Nafra was her husband's trusted and confidential adviser. If the will which Bechur Samul left behind him prove nothing else, it at least shows that his confidence in Nafra was unabated to the hour of his death. To this his handwriting testifies.

See (L.) 120. Government cannot follow the medical committee in their pure assumption that at the time he executed the will, Bechur Samul was not in his right mind. The lines in the will written by him may be fairly supposed to show the contrary; and though the rest of the will may or may not have been written and read in his presence, Baba Nafra was clearly the person to whose charge the dying banker would be likely to confide implicitly the affairs of the bank, as well as the superintendence and protection of his widows and heir.

121. Nor, though it has been argued that Baba Nafra must have been a party to Joetabhaee's fraud (if fraud were committed), does it follow that he should have taken an avowed part in it. This would be no doubt the native belief, because the Baba's cognizance of such a fact could hardly be doubted. But it may be quite possible that for his own ends, if fraud were really committed, he thought fit to shut his eyes to what was going on, and avoided bringing that public scandal upon the house which would have resulted from encouraging Maha Luxmee to active interference; Government does not apprehend that Nafra's passive complicity in such an intrigue, if it were now to be avowed, would lead even the best of the native community to speak of him among themselves (in the strong language used by you) as an infamous conspirator against his master's widow and son. The native standard of morality, as already remarked, is not the European standard; considerations of expediency enter largely into the views of Asiatics; and though doubtless any candid native would, if the matter were fairly discussed, acknowledge the immorality of such a course as Baba Nafra is here supposed to have pursued, yet he might feel some surprise, in the first instance, at hearing it stigmatized in such unmeasured terms. Before condemning Baba Nafra, he would require to know his motives.

122. In the consideration of this matter, Government have purposely refrained from commenting upon the minor points of this extraordinary story. For these there is neither time nor necessity; but I am briefly to notice the non-performance of the Barsa and Rakdee ceremonies: they are both satisfactorily disposed of in Appendix (J.), [*see* yads, dated the 23d January, and the 6th and 25th February 1851]. From the former of these yads it appears that the Barsa ceremony is usually observed by the Vessa Laud Buneeas on the 12th day after the birth of the child; but it is clearly stated that in case of prevention from deaths or other causes it may be performed at any future time.

123. In the latter of these yads, clear and conclusive evidence is afforded that it is usual to bind the smaller rakdee (armlet) on the arm of a pregnant female in the fifth month of the pregnancy computed by the time of the stoppage of the monthly flow, and on the seventh to fasten on the greater rakdee, and at pleasure to feast, or not to feast, the caste; but that in case of the death of the husband before the fifth or seventh month, the rakdee ceremonies are altogether dispensed with. This seems to Government to dispose of the doubts which have been thrown upon Joetabhaee on account of the non-performance of these ceremonies during her husband's extreme illness, or after his death.

124. The following is noticed by Government as a strong remark, in the yad from the Durbar, dated the 12th February 1851, Appendix (J.); "nor is it known

that

that after the death of her husband the second widow was understood to be pregnant." This comment of the punchayet obtains support in a singular quarter; it is learnt from Captain French's letter (para. 17), dated 11th June 1851, that Baba Phurkey, your approved assistant in detecting the frauds and intrigues going on at Baroda, observed to Captain French when in Bombay, that no one at Baroda believed in Joetabhaee's confinement. The passage is so remarkable, that I am directed to quote it at length: "Speaking to him of the assertion by Joetabhaee, of the firm of Hurree Bucktee & Co., that she bore a child to her late husband, he laughed, and said no one at Baroda believed it; that when the elder widow was confined, he gave the hurkara, who brought the intelligence, five rupees; but that when one came telling, Joetabhaee had borne a child to her deceased husband, he tried to escape any present, and at last gave one rupee to get rid of the messenger. This I know he has since denied, but that he told me the above, I assert; for I lost no time in letting the Resident of Baroda know of it, being aware of his ideas regarding the supposed child, as well as of the estimation in which he held Baba Phurkey."

125. I have now, as directed by the Right honourable the Governor in Council, stated the principal doubts which have occurred to Government on the question of whether Joetabhaee ever bore a child to her late husband Bechur Samul. These doubts lead Government to view with far more indulgence than yourself the decision of the punchayet that the fact has not been proved. A decision at the present time is comparatively of less importance, since the supposed spurious child is dead. I am, however, directed to add, that if it were obligatory to decide judicially upon the evidence which has been transmitted to Government, and that no other were procurable, the decision of Government would be in favour of Joetabhaee.

126. Baba Nafra's wife has not been examined. Government are of opinion that this should have been done; however disposed to support her husband, some new insight into the case might have been gained from her statements.

127. I am directed by Government now to turn to the evidence taken upon the inquiries into the Metapoor and Amleeara conspiracies, which may be considered as perfectly distinct from the question which has just been disposed of. The subjects are no doubt immediately connected, if the two following positions be granted:—

1st. That Joetabhaee bore a child to Bechur Samul; and,

2d. That this was the child made over to the koolees of Amleeara.

128. Their necessary connexion, however, depends upon the latter point being established; for it is within the bounds of possibility that Joetabhaee may have lost her own child, and introduced another in its room.

129. Government deem it sufficient to notice in a summary manner each of these stories in its turn, and the result established from the evidence as viewed by Government.

130. I am also directed to offer some comments on certain points in which Government is unable to concur in your reasoning; more than this does not appear to Government to be necessary to do so; for, minutely as you have discussed every part of this case, not confining your analysis of the evidence to your report, but commenting freely, whenever you deemed it desirable to do so, in the contents of the 12 bulky Appendices, it is, I am directed to state, merely just to you to admit that your arguments are always plausible, and frequently conclusive. Government will only object to your reasoning where you are found, first, resorting, in support of your own views, to evidence like that of Maha Luxumee, the utter worthlessness of which is apparent on the record; and, second, exhibiting immaterial contradictions in the statements of the parties opposed to Joetabhaee, whose depositions are on the record, as discrepancies worthy of attention, when every day's experience in this country establish the looseness with which the evidence of the best intending witnesses is given.

131. To return to the two conspiracies, as you conceive them to be, the particulars of which are to be found in the depositions of the Metapoor and Amleeara koolees.

132. The extreme difficulty of arriving at sure conclusions in respect to such low and obscure intrigues, carried on by the subjects of a native prince, either in that native prince's capital, and as it is somewhat technically, but graphically described, "within the shop" of the parties concerned, or in distant villages of the British and Gaekwar territories, without the aid of a searching investigation, by officials in power, is self-obvious.

133. This difficulty is greatly enhanced by the length of time since the circumstances occurred: perfect conviction of the truth of any statement, except on unimpeachable testimony, is of course out of the question.

134. But before recording the impression left upon the mind of the Right honourable the Governor in Council by a perusal of the proceedings, including the voluminous Appendices submitted by you, I am directed briefly to illustrate the remarkable worthlessness of the chief part of the oral evidence on which dependence must be placed in coming to conclusions.

135. The proof that Baba Nafra, in pursuance of his purpose of ruining Joetabhaee, had deliberately contrived and brought forward the charge of her having first procured a spurious child from Meetapoor, and afterwards from Amleeara, is founded originally upon the confessions of the three imprisoned gomashtas, Lulloo Bhugwan, Bhyjee Gella, and Bhugwan Bowaneedass, who had quarrelled with Nafra, and been imprisoned by his orders. These men's own confessions stamp their character as worthless, and deprive their evidence of all value, further than in as far as they may happen to derive authority and support from other evidence. The story told by Lulloo Bhugwan in an especial degree is to be mistrusted; he is too evidently an arch intriguer—so much so, as to suggest the belief that he would lend himself as a willing tool to any one who would make it worth his while to set the machinery of his plots and falsehood in motion.

136. The punchayet, in their somewhat rambling award, have found the Baba guilty of having concocted the Metapoor conspiracy (for they admit it to have been a conspiracy), in which Lulloo Bhugwan was avowedly the main agent. Their verdict is qualified; for they do not find him guilty of having authorized the forging of the agreement with the Koolie Rugoonath, the worthlessness of the evidence of Munsoohram the writer, and the son of Lulloo Bhugwan, Nafra's personal enemy, together with the witness Motumlall's denial that he forged the signature of Banabaee, having told against that part of the charge. But they apparently mean to convict him of having made use of the document with the knowledge that it was forged, and having personally assisted in inciting the koolees of Meetapoor publicly to accuse Joetabhaee and her family of the fraud, and her father of having passed the false bond.

137. You, on the other hand, view the Baba as the prime mover, and originator of a deliberate conspiracy, entered into with the view and determination of removing Joetabhaee from all concern with the firm.

138. It is difficult to study your reasoning on any part of this report without inclining to the same conclusion as you have arrived at; yet involuntary doubts will occasionally arise when the worthlessness of the statements on which the entire fabric of your conclusions rests, come to be examined and considered. In the instance in point, it seems proved beyond doubt that Baba Nafra, anxious to rid himself at all hazards of the unseasonable importunity of Joetabhaee and her friends in the affairs of the bank, either contrived the conspiracy which brought the Meetapoor Koolees to Baroda, or that Lulloo Bhugwan originated the fraud, and that Baba Nafra sanctioned and pursued it; yet the statements of the principal agents to which I am now to refer, are of very small intrinsic value.

139. It seems vain to look for a safe guide through the mazes of these perjuries and contradictions. Government have endeavoured in vain to find some data which would enable them merely to fix the periods when, according to Baba Nafra's statements, the first of Joetabhaee's spurious children was brought from Meetapoor, died, and was replaced by the other child from Amleeara.

App. (H.), 6 & 10. 140. All that can be discovered is, that Koolee Rugoonath and Gooman Mhowsing, in their evidence given on the 10th and 11th November 1847, say that

that the child of the former was taken to Baroda from Meetapoor, about 2 or 2 ½ years previously, or either in November or May 1845; while Dhoudee woman, wife of Dullia Bawa, of Amleeara, asserts that her child was purchased for Larbaee and Joetabhaee, by Dhada Meyah Havildar, about four years previous to the date of her giving this deposition (in August 1850), or in the month of August 1846. If these original statements had been true, it would have followed that the first child must have died between the months of November or May 1845, when it was said to have been purchased at Metapoor, and the month of August 1846. But the statements of these witnesses are shown to be utterly worthless.

See her evidence, App. (H.), 33. 44.

141. Koolee Rugoonath has not appeared to undergo a re-examination on the evidence which he gave before Baba Nafra in 1847. But to balance this defect, Rubat, his wife, deposes, that her husband was hired to represent the father of Joetabhaee's child. The statements of the other witnesses from Meetapoor, whose evidence was of any importance, is without exception, by their own admission, unworthy to be relied on:

See her depositions, 30 App. (F.); recorded 14 App. (H.), and 22 App. (H.)

1. Thakoor Jetsing Lallumbaee, Appendix (H.) 7.
2. Thakoor Ameersing, Appendix, (H.) 11.
3. Thakur Jubar Humbere, Appendix (H.) 8.
4. Rarjee Bhuald, Appendix (H.) 9.

All deposed before the punchayet that they accompanied Koolee Rugoonath from Meetapoor to Baroda, to obtain from Larbaee either his son sold to her, or payment of the bond delivered to the father.

142. Gomaun Mansing deposed to having carried the child to Baroda in a basket, and delivered it to Larbaee. These same witnesses before the Resident, and Gomaun Maunsing are brought forward to establish their own perjury.

See App. (F.), 28, (H.), 16. App. (F.), 19; (H.), 25;

143. Such being the case, their later depositions can be received as evidence only so far as a critical analysis of other ascertained collateral facts can be brought to illustrate and confirm their truth. This you have undertaken, and very ably accomplished, and Government have already stated their concurrence in your conclusions to a great extent. If Government reserve an unqualified assent in them to their entire extent, it is because the best inductive reasoning, where the chief oral evidence is tainted, cannot be viewed as safe.

App. (F.), 18; (H.), 26; and App. (F.), 17; (H.), 24 & 27. App. (F.), 15; (H.), 29.

144. The same may be said of the story told, retracted, and re-affirmed by the Amleeara koolees.

145. To place before you at a single view the evidence of these immediate agents in the intrigue, either in complicity with Joetabhaee, or working against her, you are referred to the following depositions, confirmed and contradicted by the alternate contradictory depositions of the repentant gomashtas, at first the active agents and abettors of Nafra's designs, latterly his denouncers before the Resident. Compare the stories of Dullia Bhana and his wife Doodee, both agreeing that to promote their child's interests, and tempted by a present of 100 rupees, they sold their son to Havildar Dodo Meyah for the Seetanee Joetabhaee. See further depositions of Joona Jusla, who deposed that he took Dulla's child to Baroda, and received 5 rupees for doing this service, confirmed in (H.) 42, retracted before the Resident in (F.), 14; (H.), 60. Of Buktee Hurreebaee and Boodur Bhana, Koolies of Amleeara, who depose that at the time Dallea states that he sold his child and announced its death, the usual ceremonies were performed on account of the latter event, one or both of them bathing on the fourth day; that they were subsequently given to understand that the child brought back from Baroda by Dullea was the child supposed to be dead, and that on its actual death, from cholera, Bhudar Bawa carried the child as a relative to the place of burial: while Buktee Hurrebaee states that he again bathed, on account of the child's death, and his family attended at the chontega, or fourth day's feast, though he himself did not, as he was not on terms with Dullea. Contrast this with Dullea's evidence, his denial of the truth of his former statement being again retracted before the punch. His wife's depositions are retracted like her husband's.

(H.), 32 & 33.

(H.), 41 & 44.

(H.), 34.

(F.), 8; (H.), 59; (H.), 74.

(F.), 21; (H.), 58; (H.), 75.

146. The principal agent in this asserted traffic between Larbaee and Dullea is Dodo Meyah, and the analysis of his contradictory evidence would almost require a chapter of itself; but the object of Government is solely to show how

little oral evidence would remain on which to build safe conclusions, if the evidence of all witnesses who are confessedly perjured were entirely subtracted.

See (H.), 31, 40, 57, & 72; also (F.), 22.

147. The two Amleeara patells, Rhyejee Bechur and Nurrotum Narrayen, depose to nothing of essential importance, and I am directed to leave the collateral evidence untouched. But as another example of evidence, so worthless as to be unavoidably rejected, I am instructed to point to the depositions before the Durbar of Nurbeeram Doolub, who there deposes that Dodo Meeah freely confessed to Baba Nafra that the Amleeara Koolee, Rugoonath, was the father of Joetabhaee's child; while afterwards, before the Resident and Durbar, he contradicts this statement, telling a tale which is intended to prove that the evidence of Doda Meyah was, as the latter has stated in his deposition before the Resident, obtained by force. Of the truth of the tale, that he gave his evidence to Baba Nafra under compulsion, Government, after full consideration of your reasoning in support of that hypothesis, still entertain serious doubts.

(H.), 56.
(F.), 23.
(H.), 67.

148. Government do not propose to extend these remarks into an analytical inquiry into your reasoning upon the evidence in the case in each and all of its bearings; I am instructed to state that it is sufficient to inform you that the whole question is still embarrassed with difficulties and doubts, which are not removed even by the elaborate exposition of facts, and reasoning upon them, which you have placed before Government in your report.

149. It is deemed by Government unfortunate that the point on which there is the strongest reason to differ from you is one on which a just decision is of most importance, the fact of Joetabhaee's maternity under the circumstances stated by her and her relations; and these doubts are the parents of others, which might affect the opinion of his Lordship in Council as to the real foundation of the Amleeara story. Upon a careful review of the entire evidence, it does not appear to Government that the charge had been incontestably refuted. That the child was subsequently placed under a guard, can hardly be regarded as conclusive of its being the child of the banker, as you seem to think; for even granting it were spurious, the child had remained long in Joetabhaee's family, and had been passed off openly as her's. It was claimed by her as her own child, and its possession was therefore of as much importance to her in carrying on her suit as a mother, with the rights attached to that position, as if it had been *bonâ fide* her own.

150. However, notwithstanding the very serious doubts which have been indicated in the letter, I am directed to inform you, that with such evidence as Government have before them, so sifted and weighed as it has been by you on the spot, his Lordship in Council must consider your conclusions as established, in as far as the case admits of proof. The more so, since even the minister is stated by you to have been at length satisfied that Joetabhaee had had a child, and as, in consequence, she was invited to the Durbar, and presented with a dress of honour.

151. I am to state that all claim to the British guarantee, on the part of Wamun Roa Venkutesh, otherwise Baba Nafra, was cancelled by his conviction; and further, that Government will not interfere with the sentence passed by the punchayet.

I have, &c.
(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 1 December 1851.

(True copies.)
(signed) A. Malet, Chief Secretary.

10.

Appendices (A.) to (G.) to Lieut.-Colonel *Outram*'s Report on the Case of *Joeetabhaee Setanee*; dated the 31st March, No. 47 of 1851.

Appendix (A.)

CORRESPONDENCE with Joitabaee Settanee, &c. subsequent to 2 March 1848.

1.

TRANSLATE of a Petition from Joitabaee Settanee to the Resident, dated 29 March 1848.

MY petition is, that the copies of the whole proceedings, from the first up to the present day, in the investigation of my case, before the Sahib and his Highness the Guicowar, the sahib should be kindly pleased to furnish me with. Owing to my ignorance of the manner in which to manage my case, my mother had petitioned the Bombay government and yourself; and in the same manner I had informed the sahib that I had no confidence in any person at this place, to whose sole management I could entrust the conducting of my case in the sahib's presence, upon which the sahib ordered that I should engage a respectable and trustworthy person in whom I had confidence to manage my case. And thereupon, after due inquiry, I succeeded in meeting with a respectable and trustworthy person, in whom I place every confidence, to manage my case; and my mother also, upon petitioning the Government and the sahib, had also obtained permission, owing to which and other reasons, as stated in the petitions above adverted to, she having been instructed by Government to present herself before the sahib, has returned to Baroda; but, in consequence of illness, she is laid up. But notwithstanding, I have considered it necessary to inform the sahib, that both my mother, and an agent to conduct my case in whom I have every confidence, have both arrived at this place.

According to what is written above, my mother having petitioned the sirkar and the sahib, as stated in such petitions, for the purpose of conducting the management of the impending case on my behalf, the agent I have engaged, the sahib should be pleased to grant permission to wait upon the sahib, according to the rule in such cases, when he, accompanied by my father, will wait upon the sahib.

Further, I beg to inform the sahib, that on the 14th February 1848, I had presented a petition to the sahib, and, in accordance with the prayer contained in the petition, I request that from the date of my mother's first petition in this matter, copies of all the yads sent by the sahib to the Guicowar Sirkar, and the replies thereto received from the Maharaj, together with the proceedings up to the present day, which may have been conducted before the Resident and the Guicowar Sirkar, should be furnished me, to enable my agent to inform himself of all the particulars connected with my case, and to inform the sahib of such particulars as he might consider necessary to do, and to interrogate various parties. By adopting the arrangements mentioned in the above yad, it would materially facilitate the collection of such proofs in this case as the sahib may order to be produced, and also save the sahib a deal of unnecessary labour in understanding the nature of this case; and I myself will be freed from the evil machinations of my persecutors and their supporters, and, though late, meet with such redress as the nature of my case would appear to demand; and I shall be ever grateful to the British Government for their protection. Because at the present time, excepting the British Sirkar, I have no one else to look forward to for protection and redress.

(signed) *Joitabaee Settanee*, in the hand-writing of Bhanabhaee Kandass.

2.

TRANSLATION of an original Yad from Joitabaee, Wife of Bechur Samul, dated 8 April 1848, to the Resident of Baroda, received at the Residency the same date (No. 219),

STATING, that on the 29th of last month she, in a full explanation of the case, applied for a copy of the whole of the proceedings, from first to last, going on between the two sirkars up to this date. On which yad, the Resident, on the 31st instant, sent for her father, Bhanabhaee, and her Karbaree, and caused her yad to be read over to him, and then promised that a copy of the proceedings should be furnished, and that the Guicowar Sirkar should be written to. On this assurance, she has been expecting that the Maharaj would send for her, but no one has been to call her; therefore, on the 5th instant, she addressed the Resident, and also acquainted the native agent with the circumstance; the latter

directed her to go to the Mahraj, stating to her at the same time that a yad had been sent to him on the 1st instant, directing a copy of the proceedings to be sent to her; on this, she requested that somebody should accompany her, or a yad be sent with her from the Residency to the Maharaj, which measure would obviate her being interfered with; that she was then desired to visit the Maharaj with the (Residency) chobdar. In accordance with such desire, her father and carbarree waited on the Maharaj, who merely said, "he was in grief," (owing to some death), but made no allusion to her being furnished with copy of the proceedings, and she was desired to leave. No date was specified, nor was any promise held out that she should be furnished with the copy of the proceedings. The Resident should therefore take into his consideration such delay, and its consequent causes, which will create much combination and intrigue, and which probably has already taken place; for this reason, that Nafra and her enemies are such falsehood-telling people, which circumstance she has from the first made known to the Resident, for this reason, that at the present time she is without a protector, and subject to much annoyance. Therefore, her oppressors, she states, should be well looked after, and the Maharaj should be written to, to furnish her direct with a copy of all the correspondence and proceedings without delay; such should be done through the Residency, in order that she may be acquainted with all the particulars of the case, and be then fully able to answer such questions as may be put to her, that on the trial the sahib may be spared all trouble. She states that all around her house all the approaches are guarded by people placed on sentry; that hinderance is offered to all her people coming to see her, and that she is otherwise subjected to disrespect; her people are also told, that, in order to visit her, the orders of both sirkars are necessary; thus she is subjected to rigorous surveillance and much oppressions. She states that all this has already been pointed out to the sirkar; but no punishment having been inflicted on these people, they show no respect for the sirkars, and are plotting together: they even show no fear for the sahib's authority, who is the dispenser of justice, but act in direct opposition to the existing orders and customs. That when she and her people are seated talking over domestic matters, people are seated near her to listen to all that transpires: when spoken to on the subject, and desired to refrain from such a proceeding, they reply, they are so placed and ordered to act by authority; therefore they should be removed, in order that she and her people may converse freely without such obstruction, and the people placed on sentry should also be removed by order. Her father and her carbarree, in accordance with the Resident's order, went on the 5th instant to the durbar, and returned to relate the result of this interview to her. On this occasion, her enemies spies, the goomasta of those people who had forcibly taken away her boy, had much altercation with them, questioning them both as to whose orders they were acting up to, and desiring them distinctly to give up their authority, and ordering them away. On this occasion, in order to avoid a disturbance, and thus draw upon her the sahib's displeasure, they reasoned much and long with them, and quietly withdrew, without seeing her at all. This only led to the watch over her being stricter, and to an increase in number of the people sent to spy over her; therefore some arrangement should be made to remove all this, and thus enable her father, her goomasta, and others, always to hold free and uninterrupted interview with her, and that she may enter upon the business she is engaged in, most fully replying to and asking such questions as may arise from time to time, and freely transacting with all the necessary parties her business. A non-compliance with her request is causing her much anxious concern. She therefore trusts all the above particulars will meet with due consideration, that a copy of the proceedings will be furnished her, and this strict surveillance be removed, that she may not be debarred seeing her goomastas and people, and that her enemies and other colleagues may not interfere with them; that in order for the future all possibility of plotting and conspiring against her may be removed, and, that she may be freed from much annoyance, she begs that a peon or peons may be granted to her, that no fresh disturbance or annoyances may arise. She begs they may be furnished with the sirkaree belt, and * but she will pay their monthly wages. Such an act of kindness will effectually remove all annoyance from her—establish a wholesome restraint over all those who annoy her. Her enemies are very strong; therefore the sahib should be kind to her, and protect her.

* *S. O.*

(signed) *Settanee Joitabaee.*
Written by Bhanabhaee.

3.

TRANSLATE of an Order dated 13 May 1848, sent to Larbaee, Wife of Bhanabhaee Kandass, No. 100.

A YAD from the durbar, dated 7th Jumadil akur Hijree 1214 (11 May 1848), with enclosure from Meer Surfraj, or others (being copies of their yads to the durbar), has been received at the Residency, to the effect, that in the case connected with Settanee Joitabaee, your deposition is urgently required, and in consequence of which, you were requested by the punch to attend, but that you decline going to them, and wish them to attend upon you, and that when asked to go to the Temple of "Goordan Nathjee," near the palace, you have omitted sending any answer, and attending there, so the durbar wish you to be written to on the subject; therefore you are now written to, to the effect that the proceedings of the case in question are going on at the durbar, and that should you be called by the durbar, you must go there quickly, and answer properly such questions as may be put to you. Should you not do so, you will fail henceforward in obtaining a hearing on the subject.

4.

TRANSLATE of an Order dated 22 May 1848, sent from the Residency to Larbaee, Wife of Bhanabhaee Kandass. Resident of Baroda, No. 136.

A YAD dated 18th Rujub Heizree 1249 (20th June 1848), accompanied with two enclosures, having been received from the durbar, at the Residency, to the effect that in the matter of the boy complaint, you have not appeared to give your deposition, copies of the yad and its enclosures are sent to you, from which you will be made aware of the above particulars.

It is also stated that you are living at your vakeel's house, the Guicowar Sirkar's Kamdar cannot therefore attend you there; so that, should you be unable to attend at whatever place the Guicowar Sirkar wish you to, you had better go and live in your own house in the city, that on the part of the Maharaj, Shastree Kamdar may be enabled to take down your deposition at your own house; but the whole of the members of the punchayet cannot attend you there, nor can you there be confronted with all the evidences; therefore you must attend at the customary place, where all the members of the punch can attend, and the investigation and confronting of evidences with yourself can be fully carried on. Such can never be done by the members coming to your house; therefore go at once and where you are desired by the Guicowar Sirkar; there go and make your deposition. Should the punch all go to your house, and take your deposition, you must even then go where the punch ordinarily assembles to be confronted with the evidences; therefore take this advice into your consideration, and send a reply after you have acted in compliance with it.

(signed) *J. Outram*, Resident.

5.

TRANSLATE of Petition dated 23 June 1848, from Larbaee, Wife of Bhanabhaee Kandass, to the Resident at Baroda.

STATING, that she had received the Resident's order (No. 136) of 1848, together with the enclosure, a reply to which she would certainly have sent, but that, having petitioned the Governor in Council, as well as the Resident, to the effect that she and others had been oppressed, and that though the proceedings in the case had been entered into, both by the Resident and Guicowar Sirkar, she had not, to the present time, received a copy of them; all that she had was the Resident's yad, now under reply, together with its enclosures, and some trifling quantity of correspondence which Joitabaee had, but that much remains to be sent her; therefore she hopes she will be favoured, by her request being complied with, that she may become thoroughly acquainted with all particulars, and, in accordance with the Resident's order, she may fully acquaint him with the same; that he may, in compliance with her petition, after due consideration, give her redress. Thus she is anxiously desiring, and, according to the strict rules of justice, she hopes to obtain redress. The opposing parties state falsely, and give unnecessary trouble to the sahib, and take up the sahib's time, wishing at the same time to do your petitioner harm. Thus (by being allowed a copy of the proceedings) she and all will be spared all this trouble, and all this falsehood will be clearly brough to the sahib's notice.

6.

TRANSLATION of a Letter, from the Resident to Larbaee, Wife of Bhanabhaee Kandass, dated 24 June 1848 (No. 138).

YOUR urzee of the 23d June 1848, in reply to the Resident's order (No. 136) of the 22d June, has been received at the Residency, wherein you state you wish for a copy of all the proceedings that have originated from your urzee, to enable you to explain the subject to the Resident. In reply, you are informed that, on the 14th February 1848, an urzee was received at the Residency from Joitabaee Settanee, calling for a copy of the proceedings, to which an explicit answer was written in No. 35, of the 2d March 1848, to the effect, that when the proceedings were concluded, her request would be granted; such answer is applicable to your present urzee; therefore a copy cannot now be furnished to you, but that on the completion of the business, and its due transmission to the Residency, then the same will be granted you. Your deposition alone is wanting to complete the proceedings going on before the Guicowar Sirkar, and to your omission the present delay is attributable. Had you given your deposition, all would have been completed at the Durbar, and you would by this time have been furnished with a copy of the proceedings. You are the cause of the delay. Your course was clearly pointed out to you in the Residency order (No. 136) of the 22d June 1848, to go and quickly make your deposition before the Guicowar Sirkar, and, moreover, you have repeatedly received verbal instructions to the above effect, besides being also written to on the subject on the 13th May 1848 (No. 100), which instructions you have disregarded: this is not right; therefore, should you not quickly give your deposition at the Guicowar Sirkar, I shall report the same to the Bombay Government, and suggest your being denied interference. For your information this is made known to you.

(signed) *J. Outram*, Resident.

7.

TRANSLATION of a Letter from the Resident to Larbaee, Wife of Bhanabhaee Kandass, dated 19 July 1848 (No. 170).

A YAD having been received, with enclosure, at the Residency, from the Guicowar Sirkar, on the 14th Shaban (16th July 1848), intimating that, in the matter of Joitabaee's son, in accordance with the orders of the 22d and 24th June 1848 (Nos. 136 and 138), sent to you, you have not as yet made your appearance before the Guicowar Sirkar, to give your deposition, and that, owing to this omission on your part, the proceedings are delayed; therefore you are informed, that if you do not, in obedience to the order (No. 138), give your deposition before the Guicowar Sirkar, and should you lose your cause owing to this, the Company Sirkar will be unable to interfere in the case, or investigate the matter; you are, therefore, made acquainted with this.

8.

TRANSLATION of a Yad from the Resident to Settanee Joitabaee, at Baroda, dated 19 August 1848 (No. 105).

YESTERDAY a goomasta, on your part, brought me a petition; but a few days before this your goomasta brought a similar petition, who was told, that as you had preferred a complaint regarding your son, an inquiry was being instituted at the durbar. That in the interim the Guicowar wrote a yad, on the 16th November 1847, requesting the attendance of your mother, Larbaee, of which you were before informed. Afterwards Larbaee came to Baroda in March 1848, and she was called before the durbar to give her evidence; but she refused to attend; and four yads from the durbar, dated 11th May, 3d and 20th June, and 16th July 1848, were received on the subject; in consequence of which, orders were issued to you on the 13th May (No. 100), 22d and 24th June (Nos. 136 and 138), and 19th July (No. 170); but it is now five months, yet Larbaee has not, under different pleas, attended the durbar to give her evidence. The Guicowar writes, that without Larbaee's evidence the proceedings cannot be closed; therefore do you cause Larbaee to attend quickly at the durbar, and give her evidence; so that after the proceedings are closed at the durbar, and sent to the Residency, I shall be able to examine them, and take your several petitions into consideration. The investigation of the case is now going on at the durbar, and unless it is closed, and sent to the Residency, I am unable to interfere in the matter. In consequence of Larbaee having refused to attend, much delay has occurred in the closing of the proceeding at the durbar; consequently I am unable to receive your petition now: after telling this to your goomasta, I returned your petition to him. But as yet Larbaee has not given her deposition before the durbar, as desired by me, for which reason the durbar has not been able to close its proceedings, and send them to the Residency; such being the case, your goomasta came yesterday to me with a petition, who was informed as above written, and the petition was returned to him. You are to understand clearly that the investigation of this case is now going on at the durbar, and after the receipt of the proceedings here, will then be examined by me as to whether justice has been done or not. If at that time you have anything to bring forward, the same will be taken into consideration; and unless the proceedings of the durbar are received, I am unable to institute any inquiries. By Larbaee not giving her evidence before the durbar, she has prevented the durbar from closing its proceedings, and sending them to the Residency. All this neglect and consequent difficulties are attributed to Larbaee. As she has now complained of indisposition, a yad was sent yesterday to the durbar, desiring that one of the kamdars should be sent to her to take her evidence, and that Larbaee should give her deposition to the Kamdar properly. If any delay takes place in giving her deposition, I shall write to the Bombay Government, and suggest that it should not further interfere in your case: this you may be sure of.

9.

TRANSLATION of a Yad from Joitabaee Settanee to the Resident, dated 22d August 1848.

I RECEIVED your letter dated 19th, No. 215, on the evening of 20th August 1848, on looking over which, I find that it treats upon a different matter to what I had complained of, and which has been set aside. Were I to write on this subject in detail, it would only increase the correspondence, and it is not in my power to disobey your order; those who have the power, do it, but the Sirkar will some day or other question him for so doing. It is well known that both your and the durbar's kamdars, the doctor and others, have been to see my mother, who is ill, and may have informed you and the Maharaj of it; such being the case, it is written that Larbaee, under different pleas, refuses to give her evidence before the durbar, which has prevented the closing of the proceedings, and that this neglect and difficulties are attributable to Larbaee. In reply to this, I beg to state, that, after seeing with their eyes my mother who is ill, they should say that excuses are made for giving deposition, makes very light of me. If I write in detail on this subject, it will turn out as above. To show in what condition I was in, and what difficulties I experienced, my man, the moment I was placed in confinement, on the 17th July, went and complained to the durbar, and to the Resident, as appeared to him best; afterwards, my mother, on her arrival

arrival in Bombay, petitioned Government on the 2d August, and in the same month petitions were presented to you and others, which have been continued up to this time. Replies were sent to my mother by Government on the 7th August, 6th December 1847, and 30th March 1848, and that from you dated 25th September 1847; and with reference to the letter under reply, it would appear that as yet you have not taken into consideration the order issued by you on the 25th September, quoted above. My request is therefore this, that you will be pleased to receive back from my man the enclosure to my English petition, which was sent to you on the 18th August;* the latter was retained, in order that you may take the matter into your consideration, after which, you can either keep or return it, or I shall produce it when you institute the necessary inquiries into this case. But if you will once read it over, you will learn the whole bearings of my case, and thus you will never attribute neglect to me. Though the Guicowar Sirkar has conducted the proceedings entirely contrary to justice, I am bound to obey your orders; considering this, my mother is ready to give such replies as may be reasonable to the Guicowar's kamdar, who may come and question her.

* That dated 12 May, given below.

Enclosure to the above.

TRANSLATION of a Yad from Joitabaee Settanee, Widow of Bechurbhaee Samul to the Resident, dated 12 May 1848.

BABA NAFRA, goomasta of my shop, and his supporters, having held out temptations to my "Sok," Mahaluxmee Settanee, and others, by which they might derive benefit, exercised oppression upon me and others, by placing us in confinement. They forcibly took away my son, Moteelallbhaee, with the view of depriving me of my rights. Besides this, many other kinds of oppressions have been made upon me: they have been guilty of a great crime according to the British regulations. The whole circumstances from the very beginning as it happened, were duly brought to the notice of the late Maharaj, as also to his Highness's officers; but, either owing to the partiality shown to Baba Nafra, and influence of his relative Gunnesh Punt (minister of the Guicowar), &c., or from other causes, no heed was given to my complaint. If from what I had complained, immediate steps had been taken, they never could have taken my son away from me; but, in consequence of no inquiry having been instituted, such oppressions have been made upon me as I am unable to bear, nor could I obtain any redress on that account; I therefore had no alternative but to petition to the Bombay Government, and a reference was made to the Resident, calling for a report regarding the impositions, &c. made upon me. To this effect my mother received a reply; I and others requested you to institute inquiries into the matter, and you gave your orders accordingly. I therefore trust arrangements will be made that the inquiry into this case may be made before you.

2. If the Maharaj wished, however, to investigate this matter, he should have adopted measures the moment I had preferred my complaint regarding the oppressions made upon me, by which means my son would never have been taken away from me; but this was not done. However, thanks to my star, my mother Larbaee was enabled to get out of the house, and petition the Bombay Government, and my case being in a fair way of being investigated, they feared that it will be properly inquired into at the Residency, and that no one's influence will be permitted to prevail in it; this and other matters having been considered by them, they have instituted inquiries contrary to the complaint made by me. But this case will never be properly investigated by the Guicowar Sirkar. The evidence of persons who are conducting this case at the durbar are very necessary to be taken, and for various reasons this case should not be investigated by the durbar, but arrangements should be made that, according to the British regulations, investigation be made at the Residency into each charge contained in the petition.

3. In order to effect my own and others release from confinement, yads were sent by the Resident to the Maharaj; but this was not done, except that the iron bars, &c., which had been placed on the door and window (like that of a solitary cell), have been removed. The guard of sepoys placed on me, as on a prisoner, is continued up to this day, by which I suffer greatly; but I am unable to write all in detail, honoured sir; I have committed no fault, nor injured any one, and Baba Nafra, without any cause, is exercising great oppression upon me, as mistress of the shop, and no one questions him as to what he is doing; day by day I am treated with greater severity; I therefore request that the guard of sepoys which has been placed over me by these guilty persons, and which they have no right to place over me, be removed, and by some means or other cause my release from confinement.

4. At present I have appointed a carbarree to conduct my case at the durbar, &c., and the Resident was pleased to order that copies of all the papers be given to him, and that he should have free access to me. A yad to this effect was sent to the durbar; such being the case, great objections have been raised to the carbarree visiting me, and obtaining copies of the papers in my case. The Maharaj sent a jassood, by name Gungajee, to the karbarree, and told him, that when he comes to see me, he should bring the said jassood with him, but that he should not visit me alone. This is a new obstacle raised. When the karbarree comes to see me, he brings the jassood with him if he can find him; and when I have any thing to say or write about my case, the jassood takes his seat close to us to hear all that we say; and when he is desired to sit a little further off, he would not do so, but says he has got the Maharaj's order to be near us. In this way I am treated with great severity by the Maharaj; neither will his Highness hear any thing from me, and make

arrangement accordingly. By throwing these obstacles in the way, nothing can be satisfactorily done through the kamdar, thus prolonging my case, and injuring me. In this manner I am treated with great severity, and it rests with the Resident to relieve me from such treatment.

5. Those guilty persons, instead of being imprisoned, are left at large, and are supported. By remaining at large, they, by means of imposition, concoct many false stories, and thus put a stop to the receipt of our outstanding dues, and ruin our shop. I have represented all this to the sirkar, but no arrangement has been made on the subject. The oppression which has been made on me is owing to my having petitioned the Bombay Government regarding my case. Instead of removing this oppression, it is increasing on me. Whether all this is in accordance with the rule of the Bombay Government or not, I shall, at the inquiry, make all this known in detail. But it is necessary that, according to my mother's first petition, arrangement should be made that my wealth, &c., may not be plundered.

6. The Resident was pleased to send yads to the Maharaj to furnish me with copies of all the papers in my case; but no heed has been given to them, and by writing false things to the Resident, difficulties are thrown in the way, and thus they refuse to give me copies of the papers which are hid from me; yet inquiries are being instituted in the case. Those people wish the attendance of my mother at the durbar, for the purpose of taking her evidence. This is contrary to the regulations, because the evidence of other women in this case have been taken at their houses. The evidence of the wife of the chief person who makes this imposition on me, Baba Nafra, was taken at Chanee village, about three koss from Baroda. None of these women were called to the durbar; but the evidence of my mother is required to be taken at the durbar. Is my mother's character less than that of the other women? All this is chiefly owing to spite, and in order that by some means or other my reputation may be taken away, and thus strike fear in the minds of the people. With such obstinacy they hold out; but under such a benign government this will not be permitted. As the evidence of other women has been taken in the same way, let my mother's evidence be taken. The reason for not giving me copies of papers is grounded on my mother not giving her evidence; but such is not the case; the object of these people is, that if copies are given to me before my mother's evidence is taken, they cannot make any alterations they like on the proceedings. Therefore they wish first to take my mother's evidence, and afterwards make such alterations in the proceedings as may appear to them proper, in which case they would find no difficulty. For this reason they are determined to take my mother's evidence first, which is a source of great annoyance to me. I beg to state that orders had been before issued to furnish me with copies, which should be complied with, in order that I may be acquainted with the matter; so that when an inquiry is instituted before the Resident, I shall find no difficulty in defending my case.

7. Agreeably to your order, my karbarree proceeded to the durbar with a jassood. The Maharaj told him that day, that as he was in mourning, he would be sent for at another time, when my case would be heard, after the days of mourning were over. I waited for some time, but no one came to call the karbarree. I then told the karbarree to attend always at the durbar; he had often entertained hopes of seeing the Maharaj, but without success. In this way many days elapsed. Afterwards, on Chytur Vud 4th, Saturday, my karbarree attended at the durbar, where Gopalrow Myral, and the two shastrees, told him that the Maharaj would not see him; that if he had any thing to say, to speak to them. After much conversation, they told him that they would show the Maharaj to him from a distance, but that he should not speak to his Highness. After saying this, they went to the Maharaj, and my karbarree followed them, and saw the Maharaj. My karbarree entreated much to his Highness to hear my case, at which time the relation of Baba Nafra, by name Gunnesh Punt, was sitting near his Highness, who replied, that Gopalrow Myral has been directed to communicate with him. In this manner Gunnesh Punt made a reply to the request of my karbarree; but no arrangement has been made according to his request. What the Maharaj had told Gopalrow Myral, the latter did not say at the time. Afterwards the karbarree left this place. In order to know what the Maharaj had communicated to Gopalrow Myral, I sent a yad on Chytur Vud 9th (27 April), to which no reply was received; my karbarree then went to his Highness on Chytur Vud 11th (29 April), Saturday, but the karbarrees would not tell him any thing; they, however, took him before the Maharaj, and, after much conversation, his Highness told my karbarree that if he had anything to say, to mention it to Gopalrow Myral, who, after hearing him, would inform the Maharaj of it; that, on his representing the case, a brief yad will be sent to me on Chytur Vud 30th, in reply. In this way the karbarree was informed; but as yet no reply has been received. In this way one is referred to another, and days are allowed to pass on. On Vysack Sood 9th, I sent my karbarree to the durbar, where he met Gopalrow Myral; but he could learn nothing as to what the Maharaj had said about my case to him, and added, that his Highness has forbidden him to converse with my karbarree in private, and that he should not say anything in the matter. You will see from this, sir, that day by day new difficulties are raised, but nothing has been done about my case. I therefore beg to state, that I have appointed a karbarree with the view of conducting my case, and request that arrangement may be so made that no objection of any kind be raised to his managing the affair, and also that when depositions, &c., are required to be taken from any one, the karbarree may be present at the time, and allowed to take down the questions, with their answers, which may be put to the parties.

You will be pleased, after taking the above into consideration, as well as the petition made by my mother, obtain for me the required redress.

10.

TRANSLATE of Copy of Letter written 24 August 1848, by Colonel Outram, C. B., to Settanee Joitabaee, No. 229.

YOUR yad of the 22d August reached the Residency on the 23d, therein intimating that my order, No. 215, of the 19th August, is not proper, and, in reply, I have to acquaint you, that that order is proper, for this reason, that your mother Larbaee, who was summoned, not having quickly come, and her deposition not having there been taken, the proceedings owing to this have not been concluded. Had she come, they would have been quickly gone through, and been sent in to the Residency; the contrary is the case; this delay and fault are clearly Larbaee's, and the packet containing urzees which you have again sent, has, in accordance with my order, No. 215, been returned to you; and when these proceedings are furnished, and sent into the Residency, by the Guicowar Sirkar, then they shall be duly made known to you.

(signed) *J. Outram*, Resident.

11.

TRANSLATION of a Yad from Joitabaee Settanee to the Resident, dated 4 September 1848.

YOU personally gave orders that I should go to the Maharaj, and represent what I had to say; accordingly I sent a yad with a carkoon to the Maharaj, on Sood 5, in the morning, who remained till 8 o'clock at night at the durbar, but no one would receive the yad. The carkoon told Bappoo Shastree and others, and that, as one of the jassoods, &c., would receive the yad, and requested him to take it to the Maharaj. Bappoo Shastree took the yad to Gopall Row Myral and others who were sitting near the Maharaj; they, after considering the matter, refused to take the yad. The following evening the yad was again sent to the durbar, when Bappoo Shastree, after speaking many things, threw the yad away, and said that it would not be received. The carkoon had therefore no alternative but to bring back the yad. I therefore beg to represent that I can in no way receive redress at the durbar, on account of the partiality shown to the opposite party. And lest you might find fault with me, I sent the petition to the durbar, agreeably to your order, which I now forward with this yad, and, after acquainting yourself with the circumstances therein mentioned, please issue such orders as may appear best to you.

(signed) *Joitabaee Settanee*,
by Bhanabhaee Kundass.

(Order.)

Copy of this yad, together with the packet addressed to the Maharaj, was sent to his Highness on the 4th September 1848, with a yad, No. 927.

(signed) *J. Outram*, Resident.

12.

TRANSLATE of a Yad to Captain P. T. French, Acting Resident, from Joitabaee, Widow of Bechurbhaee Samuldass, and Heiress of Hurree Bugtee's Wealth, &c.; dated Posh Sood 5th, Sumwut 1905 (30 December 1848).

I BEG to represent, that I and others have been suffering oppressions and injuries of various sorts since about two years, which was communicated by yad up to the time Colonel Outram went to Bombay; but nothing was done. On the first interview, after your arrival, a few representations were made, and when called a second time, on the 26th December 1848, my father, Bhanabhaee, and kamdars were sent, whom you desired to go to the durbar, as, according to Government orders, it was written to convene a punch, to take rajeenamas (writings from the parties to the effect that they will abide to the decision the punchayet may pass), and to have the matter settled by the punchayet. Although I wished the settlement of the case according to the yads formerly given, yet my father went to the durbar, as he was called there, according to your orders: when your orders were read to him, he asked for copies of them, but was refused. A kamdar, or karkoon, will therefore be sent to you for the copies, as from them the names of the punch of the opposite parties can be ascertained, whereby I shall be able to name the members on my part, and, as it is necessary, obtain their previous consent. The present time being critical, the persons in this matter ought to be the most confidential, and the writings will thereupon be passed after making perfect inquiries on these heads, notwithstanding I have become quite helpless, owing to the impositions and hardship used towards me and others for these two years. My ruin is not of a kind that I can describe; it was represented before, but nothing has yet been decided for my maintenance, &c. I have therefore got into debt with my creditors, as well as with the carcoons, kamdars, and servants, &c., for which I suffer a great deal too much to detail. As the colonel was convinced that Bhanabhaee was unable to manage this affair at the durbar, &c., he had postponed the investigation, and ordered me to appoint a trustworthy kamdar (vakeel) for the purpose, which was accordingly done, as per yad given on the 29th March 1848; yet the durbar does not call that man for the business, but mentions in yads the names of other inexperienced

persons; but as this practice is very fearful, some measures should be adopted for its prevention, and it would therefore be far more advisable if inquiries are instituted according to the yads formerly given; because if the punchayet is nominated by the British Government, it would easily bring to light the party in whom the fault lies. This matter being very delicate, injurious, extraordinary, and intolerable, the delay creates various mischiefs, which cannot be plainly described; but some of them have been mentioned in the former yads; and as the settlement was not made as therein suggested, the case has become intricate, and it is not known for how long it may yet go on. It therefore seems necessary to represent, that for these two years past all the people of the firm are in the full enjoyment of everything without any hinderance; but towards me such harassing proceedings are exercised as nobody else could have ever endured, and I do not get anything for expenses, such an extraordinary case this is. According to the fame of our family, I ought to keep up such expenditure as would enable me to live with respectability; and now, as the members of the punchayet are to be invited, I am much concerned as to how to defray the expense necessary on such occasions. It is hoped, therefore, that you will at once kindly get me 12,000 rupees from the firm for present expenses, and take such steps that I may not hereafter meet with any such inconvenience. By doing which, I may suffer no further pecuniary difficulty, and have no cause to trouble you any more about it. If the prompt payment of the above sum is ordered, the debts which require immediate liquidation will be paid off, whereby the character of the house of Hurree Bugtee shall not in any way be stained.

Signature of *Jaitabaee*, made by
Bhanabhaee Kamdass.

13.

TRANSLATE of a Letter from the Resident to Joitabaee Settanee, the Widow of the late Beehur Samuldass, No. 644, dated 30 December 1848.

YOUR yad, dated Post Sood 5th (30 December 1848), has been received, and in it you solicit sanction for the disbursement of 12,000 rupees on account of your expenses, &c. In reply, be it known, that it does not rest with the Resident to grant the request contained in your yad under reply, and the Resident's advice to you is, that you should agree to the adjustment of your case by punchayet, as suggested by the Guicowar and Bombay Sirkars. If you do not agree to such an arrangement, the measures made known by your father, Bhanabhaee, verbally, will be submitted for the sanction of the Bombay Government; and if your conduct be marked with impropriety, the said Government will take into consideration the necessity of rendering nul and void their guarantee, which at present you are in the enjoyment of.

(signed) *P. T. French*, Acting Resident.

(True copy.)

(Signed) M. Battye, Assistant Resident.

14.

TRANSLATE of a Yad to the Acting Resident from Joitabee Settanee, the Widow of the late Bachurbhaee Samuldass, of the Firm of Hurree Bugtee, dated 3 January 1849, No. 126.

IN accordance with the commands of the Resident, a petition had been prepared and sent with Narrain Bullal Karkoon and Sonajee Sepahee, for the purpose of being presented to the Maharaj; but when these parties had arrived at the wadda (palace) Jhassoos Hummunt Row, having ascertained from them their business, went and informed the Maharaj that a petition had been sent by me with a karkoon. Upon which the Maharaj ordered that if the petition was brought by Bhanabhaee it should be received, but not otherwise. This the said jassoos intimated to my karkoon and seepahee, and the yad was returned; consequently I beg to explain that the attendance of my father, Banabhaee, is only a pretext, because it is not usual in other cases to make such unreasonable demands, for they recognise any person deputed to conduct similar cases, and which rule is observed with reference to such parties as from time to time are deputed by my enemy. Further, I beg to submit that my father, Bhanabhaee, is quite ignorant of the usage in vogue at the durbar, and consequently incapable of conducting the impending case before the Sirkar; and further, as from the commencement I had deputed an agent to conduct my case, I respectfully beg to solicit that I may be permitted the indulgence of continuing the same party to act on my behalf, and that occasionally, when I send yads by my karkoon or other parties, arrangements be entered into that no obstructions be offered to their delivery of the same, and these objections being offered is only with the view of prejudicing the sahib against me; consequently, to obviate the realization of the evil machinations of these parties, I respectfully solicit that the sahib be pleased to take such steps as may be considered necessary, because my case is being set aside, and unnecessary time is thrown away in discussing trifles, which are unjustly advanced. The yad sent yesterday to the Maharaj I beg to send enclosed in this.

Endorsed. Answered 3d January 1849, No. 3.

15.

TRANSLATE of a Letter from the Acting Resident to Joitabaee Settanee, dated the 3d of January 1849, No. 3.

YOUR yad of this date, though the year 1848 is entered therein, has been received, in which it is stated that you had sent to the Guicowar Sirkar a yad with your carkoon and sepahee, but which, however, the Guicowar Sirkar refused to receive; and that the Guicowar Sirkar said that no yad from you would be received unless brought to the durbar by your father, Bhanabhaee. Also praying that such impediment might be removed, &c. In reply, be it known, that on the yad under acknowledgment you style yourself the heiress to the wealth, &c. of the firm of Hurree Bugtee; this title you should for the future, in your yads to the Resident, cease to use; and further, the Maharaj having ordered that your yads should be sent with your father, Bhanabhaee, it is my advice also to you that you should send your yads by your father, Bhanabhaee, to the Guicowar Sirkar, because it is necessary that the orders of the Maharaj should be respected, and what afterwards results from such compliance should be seen; but without acting thus, you at the first commence raising unfounded objections. Therefore I write to acquaint you.

P.S.—The closed cover to the address of the Maharaj, submitted with your yad, has been returned to you by your seepahee.

(signed) *P. T. French*, Acting Resident.

16.

TRANSLATE of a Yad from Joitabee Settanee, the Widow of the late Beehurbhaee Samuldass, to the Acting Resident, dated Post Vud 9th, Sumvut 1905 (17 January 1849).

IN the Resident's reply, dated 3d January 1849, No. 3, to my former petition, it is stated, "My advice is, that implicit obedience be paid to the Guicowar's Sirkar's mandate, directing that Bhanabhaee should attend at the durbar, because it would appear to be just and reasonable; therefore the Maharaj's orders should be complied with at first, and afterwards see what results, &c." In reply, I beg to submit that, if the Maharaj had impartially investigated the complaint made by me of the oppressions I had from the first been subjected to, what necessity existed for my petitioning and inconveniencing the Company's Government; but as under Guicowar Sirkar's rule impartial justice is not to be met with, or expected, I have been from time to time necessitated to petition the Resident; yet such being the case, the Resident Sahib at present directs implicit obedience to be paid to this Sirkar's mandates, and which order from the Resident has involved me in the deepest distress und hopelessness. Colonel Outram, in the first instance, had decided and ordered that a kamdar (vakeel) should be appointed to conduct my case, with which I have complied; but the Guicowar Sirkar objects to this measure, and desires that my father, Bhanabhaee, should be in attendance at the durbar for the purpose of conducting this affair, and the Resident Sahib concurs with the Guicowar Sirkar; but as my father is entirely ignorant of the manner in which cases are conducted at the Sirkar's courts, owing to which the Resident was pleased to sanction some other party being deputed by me to attend at the durbar on my behalf, the reason for not permitting such agent to conduct my affairs is only with the view of screening the Baba, and involving me, as heretofore, in misery and ruin. This is evident; notwithstanding which, however, in obedience to the orders of the Resident, I had despatched a yad by my father to the Guicowar Sirkar, and upon its being presented, the Maharaj having perused it, returned it to my father. Upon which my father submitted to the Maharaj, that, although the Maharaj wanted him to attend, he was not aware of the manner in which business was being conducted at the Maharaj's court, and requested that the reply to the yad might be sent to me, and that I would give the necessary explanations, and also send a vakeel to conduct my case. To this the Maharaj replied, that he would neither receive my yad, or give any reply thereto. This is what transpired on the occasion, which I beg to submit for the Sahib's information; and I beg that it will be taken into consideration, and redress afforded me by the Sahib. This is my prayer.

17.

TRANSLATE of Acting Resident's Reply, No. 27, dated 17 January 1849.

YOUR yad, dated Post Sood 9th (17 January 1849), has been received, wherein it is stated that "the sahib having decided that I should, in obedience to the orders of the Guicowar Sirkar, send my father with any petitions which I may wish to be submitted to the Guicowar Sirkar, but justice is not to be met with at the Guicowar Sirkar's court; therefore the sahib should take such measures as will ensure me redress," &c. In reply, be it known, that in your yad you have cast reflections upon the Guicowar Sirkar, and otherwise disrespectfully addressed him, which was a very improper part to do; therefore hereafter, should your yads be written in the same objectionable tone, they will not be received, which I advertise you of with reference to the adjustment of your case: whatever order the Maharaj may be pleased to make, you should respect; and you should submit to the Maharaj any reasonable representations you may feel desirous of doing.

(signed) *P. T. French*, Acting Resident.

18.

TRANSLATE of a Yad from Joitabaee Settanee to the Acting Resident, dated Phagoon Sood 14th, Sumwut 1905 (6 March 1849).

I HAD directly petitioned the Bombay Government, on the 31st December 1848, in English, and received a reply dated 25th January 1849, No. , to my petition from the Bombay Government, to the effect that I should hand up the said petition to you, and my petition was returned to me, which I beg to herewith submit, together with the particulars detailed in the subjoined paragraphs, for the Resident's information; viz.—

1. Consequent upon your having but recently joined the Residency, you are not acquainted with all the particulars of my case, and for this reason you had recommended the Bombay Government to have my case settled by punchayet; but I am sanguine, even at the present time, that after having taken into consideration the whole of the particulars detailed in my present petition, you will be satisfied of the great oppression which has been practised towards me by my goomasta, Baba Nafra, and others, and change your opinion regarding the adjudication of my case by puchayet, and at once adopt measures for the restoration of my son, whom Baba Nafra had abducted; and, with the view of enabling you to become full acquainted with all the particulars of my case, I have thus delayed in presenting the petition returned to me by the Bombay Government, up to the present time.

2. To learn the extent of the oppression I am at present subjected to, you should be pleased to come personally to the house of Dhakjee, and satisfy yourself of the fact that a guard of six men is placed on the part of Baba Nafra, and two guards on that of the Guicowar Sirkar, and I am, with my servant, distressed for funds to meet my expenses, whereas Baba Nafra is in the enjoyment of crores of rupees, which, by right, belong to me. This you should be pleased personally to satisfy yourself of, and take into consideration, as also the happy state in which Baba Nafra and others are in who have committed crimes, and the wretched state in which I am placed, although I am a complainant in the present case.

3. My wealth, amounting to cores of rupees, continues under the charge of my enemies, from which lacks of rupees are being improperly squandered away, whereas I am distressed for my expenses. This it is necessary the sahib should properly investigate, and report for the information of the Bombay Government; and in order to prevent any obstacles being advanced by my rival, or Baba Nafra, against my drawing upon the firm of funds to meet my expenses, the sahib should write to the Bombay Government, and have arrangements made.

Dated Phagoon Sood 14th, Sumvut 1905 (6 March 1849).

(signed) *Joitabaee*, in the writing of Banabhaee Kandoss.

(Endorsement.)

A reply to this petition has been sent, No. 174, dated 8th March 1849, Baroda Residency.

P.S.—The petition, in English, which had accompanied this yad, has been made over to the English department, for the purpose of being brought upon the records.

Dated as above.

(signed) *H. Battye*, Assistant Resident.

19.

TRANSLATE of a Letter from the Resident to Joitabaee Settanee, No. 174, dated the 8th March 1849.

YOUR yad, dated the 6th March 1849, together with copy of the petition sent to the Bombay Sirkar, regarding your son's abduction, as also for permission to draw upon the firm for funds to meet your expenses, have been received. In reply, be it known that the Bombay Government has been referred to upon this subject, and when their decision in the matter is received, the same will be communicated to you.

(signed) *P. T. French*, Acting Resident.

(True copy.)

(signed) M. Battye, Assistant Resident.

With reference to the adjustment of your case, whatever order the Maharaj may be pleased to make, you should respect, and you should submit to the Maharaj any reasonable representations you may feel desirous of doing.

(signed) *P. T. French*, Acting Resident.

(True copy.)

(signed) M. Battye, Assistant Resident.

20.

TRANSLATE of a Yad to the Acting Resident, from Joitabatee Settanee, dated 13th March 1849.

1. IN reply to a petition presented by me to the Bombay Government, dated 19th February 1849, the Bombay Government intimated, that the petition had been transmitted to the acting Resident at Baroda, and that I should look to the Resident for a reply; consequently I beg to solicit that you will be pleased kindly to inform me of the reply which the Bombay Government may have been pleased to make to my petition; and as I have this day received the above reply from the Bombay Government to my petition, dated the 19th February 1849, I further beg to trouble you to inform me in writing on what date the Bombay Government's letter on this subject had reached you, as also to kindly be pleased to furnish me with the date of any report you may have subsequently made on this subject to the Bombay Government. Copy of the letter received from the Bombay Government to me, I beg to enclose for your information.

(signed) *Settanee Joitabaee*, in the hand-writing of Banabhee Kandass.

(Endorsement.)

A reply to this petition had been sent, dated 15th March 1849, No. 192.

21.

TRANSLATE of a Letter from the Acting Resident, Captain French, to Joitabaee Settanee, the Widow of Bechur Samul, of the Firm of Puruck Hurree Bugtee, dated 15 March 1849, No. 192.

A. C.

YOUR yad dated 13th March 1849, has been received, to the effect that the Bombay Government had intimated that the reply to your petition to their address would be furnished you through the acting Resident, requesting that such reply be furnished you, and enclosing copy of the Government letter with the yad under reply upon this subject. Be it known, that the Bombay Government had been written to about your case, but as yet no reply from them has been received.

22.

TRANSLATION of a Goozerattee Yad from Settanee Joitabaee Combe Bachur Samul, Inhabitant of Baroda, to the Address of the Acting Resident at that Station, dated 19th March 1849.

After compliments.

ON the 6th March 1849 a yad was presented to you, complaining that our goomasta Baba Nafra, and his Highness the Guicowar, have placed a guard over me.

An answer to the same was received on the 8th March 1849, No. 174; but I was sorry to perceive that nothing was mentioned therein regarding the removal of the guard. It has therefore obliged me to write to you further on the subject, and I trust I will be excused for troubling you on the occasion. You will confer a great favour by kindly informing me what has been done with respect to the removal of the guard, as it appears that it may have been placed by our goomasta Baba Nafra, and his Highness the Guicowar, without your knowledge. I am at present treated by this guard as if I was a prisoner, and they even take so much liberty as to sit by our sides, void of any respect, which is quite disgraceful to us in the society; not only this, but that I am even prevented from visiting my house, to look after my furniture, &c. It is but a great farce, that our goomasta, a mere servant, should take so much liberty as to place a guard over me, though myself being a plaintiff in the case, and that no notice whatever has been taken of it, notwithstanding my several applications have been presented to you regarding it. However, I now request that you will kindly favour me with an answer to my yad, stating that the guard has been ordered to be removed, and oblige,

(signed) *Joitabaee Settanee.*

23.

TRANSLATE of Yad to the Acting Resident, from Joitabaee Settanee, dated the 30th March 1849.

FOR the purpose of causing to be removed the guards placed upon me by the Guicowar Sirkar, and my goomasta, my father, &c., attended formerly before you; but, owing to my bad luck, I have not been, up to the present time, released from the inconvenience the continuance of such guards entail upon me. Such being the case, on the 6th March 1849 last, I petitioned the sahib to be freed from such restraint, and I had entertained the sanguine expectation that the sahib would have personally visited me, or deputed his assistant to do so, for the purpose of satisfying himself of the nature of the oppression being exercised towards me, and that, having done so (would) relieve me from my present troubles; relying upon such expectations, I was induced to look forward daily for their realization; but, unfortunately for me, the sahib's pity was not moved on my behalf to induce him personally

sonally to visit me, or depute his assistant, or any other party upon whom the sahib placed confidence to do so, and become acquainted with my present position, and afford me redress. Upon which, I was induced to submit a further yad, dated the 19th March 1849, to the effect that the guards being placed upon me, exposed me to much inconvenience, and, further, it was derogatory to my respectability, and that therefore their removal should be ordered; consequently the sahib should be kindly pleased to free me from the imprisonment I am at present placed in.

2. Because these guards indulge in obscene language in my presence, and which, from the nature of their fulsomeness, cannot be repeated in writing, and if no redress is to be obtained by my complaint, from the Company Sirkar, as was the case from the Guicowar's government, then no other alternative remains for me than to sacrifice my life. But it is to be hoped that, notwithstanding the false representations which may be made by interested parties to prejudice the sahib's mind against me, yet, consequent upon the sahib's superior judgment, at some future time the true nature of my case the sahib will ascertain. Relying upon this hope, I patiently bear with my present lot; therefore the Resident should, for God's sake, and for the upholding of the spotless name of the British Government, benevolently attend to my case, and free me from my present distress. Not wishing to enlarge upon the subject, I beg in a few words to state, that if such oppression be permitted to be enacted towards me, the guarantee of the British Government must, of necessity, be materially dishonoured; consequently, it is indispensably necessary that my case should be minutely investigated, because I, the complainant in this case, having the guarantee of the British Government, am denied redress; whereas my goomasta, the offender, and a person guilty of many acts of impropriety towards the Sirkar, and by the expenditure of my wealth in corrupting parties, so that the truth of my case should not reach the sahib's ears, has no punishment awarded him, but instead, he is being supported by the Guicowar Sirkar, and daily my distress is augmented.

3. If these guards are not removed, I cannot say what will become of my life, because life is not dearer than honour.

4. During the administration of Veeneeram, Arabs were sent, and Bhaskerrow Withul also had been subjected to similar oppression, as at present enacted towards me; but upon the same coming to the knowledge of the then Resident, he immediately, within a space of half-an-hour, taking into consideration the guarantee extended towards this individual, got him released from being subject to further oppression, and the said sahib caused the Arabs to be instead incarcerated at the Residency; but at the present time my enlargement is not effected, and therefore the sahib should inform me, in writing, the true reason for my case being treated in the manner in which it is.

Dated as above.

(signed) *Settanee Joitabaee*, in the hand-writing of Banabhaee Kandass.

(Endorsement.)

This yad replied to on the 31st March 1849, No. 253, Baroda Residency.

24.

TRANSLATE of a Letter from the Acting Resident, Captain French, to Joitabaee Settanee, the Widow of Paruk Bechur Samul, of the Firm of Hurry Bugtee, dated the 31st March 1849, No. 253.

A. C.

YOUR yad, dated the 30th instant, has been received, in which you solicit that the guards placed upon you should be removed; with reference to which, be it known, that upon the receipt of your former yad upon this subject, a yad had been sent to the Guicowar Sirkar, directing the removal of the guards placed upon you, and as no reply, up to the present time, has been received, this day word has been sent by Govindrow Rodeeya to remind the Maharaj about the removal of these guards; therefore you should depute some party on your part to remind Govindrow about the same, and acquaint me with what may result.

25.

TRANSLATE of a Yad to the Acting Resident, from Joitabaee Settanee, the Widow of the late Bhachur Samuldass, dated the 2d April 1849.

1. THE sahib's yad, dated the 31st March 1849, No. 253, has been received, in which it is stated, that "a yad has been sent to the Guicowar Sirkar for the removal of the guards placed upon you by the Guicowar Sirkar and your goomasta Baba Nafra; but no reply thereto having been received, this day word has been sent to the Maharaj on the subject by Govindrow Rohdia; therefore you should cause some person on your part to attend upon and remind Govindrow Rohdia, and keep me informed of what takes plaec." According to the above, I despatched a person to visit upon, and remind, Govindrow, to whom, however, Govindrow intimated that he had brought the subject to notice on that day, therefore directed that the man should have patience; I beg to acquaint the sahib of the same, agreeably to the sahib's orders.

2. Consequently, at the present time the sahib is informed that the sahib had directed that Govindrow should be reminded upon this point; and as I could not refuse anything the sahib

sahib may feel disposed to order, I complied with the sahib's request, and caused Govindrowjee to be reminded; but I feel confident without the interposition of the sahib, the Guicowar Sirkar will never release me from my present position by the removal of the guards placed upon me. Upon my having formerly presented two yads, respectively dated the 6th and 19th March 1849, the sahib was pleased to cause their transmission to the Guicowar Sirkar, and it was incumbent upon the Maharaj to have respected the sahib's wishes, and to have removed immediately the guards; but such was not the case, which induced the sahib to again take the trouble of directing Govindrow to mention the subject to the Maharaj, and upon this occasion it was necessary for the Maharaj to have considered that it appeared very uncourteous that the sahib should have been put to this inconvenience; and, to obviate the possibility of its recurrence, he should have at once removed the guards; but even on this occasion the Maharaj did not think fit to pay any attention to the sahib's wishes in removing the guards; therefore I have no confidence that the guards will be removed by my goomasta, reminding Govindrow of the same; my goomasta being desired to bear patience, is but with the view of gaining time to submit a petition, misrepresenting things to prejudice the sahib's mind against me; because, although I waited the whole of yesterday, up to noon this day the guards have not been removed. Therefore I respectfully solicit that the sahib will benevolently take my distressing case into consideration, and cause the removal of the guards placed upon me.

3. In the yad the sahib was pleased to send to me, it is stated that the guards which have been placed, will be removed, from which it is evident that the sahib does not believe that the Guicowar Sirkar has placed guards upon me; therefore I beg to respectfully submit that the parties composing the guard are the Guicowar's employees, *i. e.*, one Jassoos Gangajees, and four puttavalas of the Guicowar's Adalut; and they are named as follows, viz.:—

1. Daveesing.
1. Ramsing.
1. Dhondee.
1. Hyputtees, and brother Dhondee

According to the above, these five persons are in guard to-day, whom, upon the receipt of the yad, the sahib should send for, and cause their depositions to be taken as to whether they are employees of the Guicowar Sirkar or not; and if they had not been placed upon this guard by the orders of the Guicowar Sirkar's officials, any doubts which the sahib may at present entertain, by the above examination of the parties above named, will be at once removed; but if their deposition be not taken to-day, these parties are likely to be changed (since it is the practice so to do with the guards), and these parties may not, upon another day, be present upon this guard, and my statement might consequently be considered as false. Therefore it is incumbent that their depositions be taken to-day; but the sahib should be the best judge. Besides this, there are six persons on guard belonging to my goomasta Baba Nafra, and it is necessary that these persons the sahib should at once cause to be apprehended, and brought before the sahib, because I enjoy the privilege of the Sirkar's guarantee; therefore these parties should be apprehended, and the Baba sent for and punished, as may appear to be reasonable to the sahib, for having, without the sanction of the sahib, placed a guard upon me, and subjected me to much oppression. And further, my prayer is, that the copies of any yads, and which might have been given in by the Guicowar Sirkar, the sahib should be pleased to benevolently favour me with.

Dated as above. (signed) *Settanee Joitabaee.*
In the hand-writing of Banabhaee Kandass.

Endorsement.

Regarding the above, Govindrow Rodeeya has submitted, on the part of the Maharaj, that the sentries placed upon Joitabaee by the firm of Hurree Bugtee, have been removed, and that a jassoos and a seepahee, on the part of the Guicowar Sirkar, have been permitted to remain with the Baee; therefore there is no necessity of sending any reply to this yad.

Dated the 4th April 1849. (signed) *P. T. French,*
Acting Resident.

26.

TRANSLATE of a Yad from Joitabaee Settanee to the Acting Resident, dated 5 April 1849 (Chytur Sood 13th, Sumvut 1905.)

ON the 2d April 1849 I had petitioned the Resident for the removal of the guards placed upon me by the Guicowar Sirkar, and by my goomasta, Baba Nafra, and in it solicited that the guard placed by the Baba should be sent for by the Resident, and examined, and the Baba himself punished according to his demerits, because he, without the permission of the Resident, oppressed me; the above effect was the petition I had submitted, and thereupon the Resident issued the necessary orders, owing to which, the parties, placed by the Baba as guards, removed themselves away, fearing that the Resident would surely send for them. These parties must now be either at the Baba's or my husband's house, therefore it is necessary that they be sent for by the sahib, and examined, and the Baba punished, as may appear advisable, because this evil-minded individual had placed both myself and father under confinement, when Colonel Outram caused our release;

release; and upon this occasion the said gentleman cautioned the Baba very much; but notwithstanding which, the Baba has again oppressed me, unheeding the caution of Colonel Outram, thus treating with contempt the wishes of the Sirkar; thus the Resident should take into consideration, and act accordingly; but to do so is left to the Resident's pleasure. The parties placed by the Guicowar Sirkar have not as yet been removed; they sit near me, and cause me much inconvenience; I am compelled consequently from time to time to trouble the sahib. Therefore it is solicited that the Resident will be pleased to cause their removal, and allow me the indulgence of the services of a couple of puttawallas, whose pay, agreeably to the custom, I am willing to liquidate. By the grant of this favour, no obstruction will exist to my going to and from living in my house. It is requested that the sahib will be pleased to take the above request into consideration, and, after making all the necessary arrangements, to favour me with a speedy answer. This is my petition.

(signed) *Settanee Joitabaee,*
by Bannobhoy Kandass.

27.

TRANSLATION of a Guzeratee Yad from the Acting Resident at Baroda, No. 271, dated 5 April 1849, to Settanee Joitabaee Combe Bacher Samul, Inhabitant of Baroda.

After due compliments.

I HAVE to acknowledge the receipt of your yad, dated the 5th April 1849, requesting that, as Baba Nafra has already removed the guard which was placed over you, that his Highness should also do the same, &c. In reply, I beg to inform you, that nothing could have induced his Highness to place a guard over you, but considering that as you, being tender in age, and may be in possession of joys, jewels, &c., belonging to the shop of Hurree Bhugtee, and paying regard to his name, it may have been thought advisable by his Highness to keep a guard over you, with no other motive than to keep you secure from the depredation of robbers, who are too common in the town. Your case, I beg to say, is already before the Bombay Government, and a reply thereto is shortly expected. It is impossible in you to trouble the Sirkar by your hearing the evil advices of your vukeels, &c. The bearer, Narrainrow Chimnajee, a carcoon in the Residency office, has been instructed to call on you to read over and explain to you the purport of this yad.

(signed) *P. T. French,*
Acting Resident.

28.

TRANSLATE of a Yad from Joitabaee Settanee, the Widow of the late Paruck Betchur Samuldass, of the Firm of Hurree Bhugtee, to the Acting Resident at Baroda, dated 10 April 1849.

THE very kind and considerate letter of the acting Resident, dated the 5th instant, No. 271, has been received, and the replies thereto, seriatim, are given below, viz.:—

1. Relying upon your benevolence and wisdom, I was sanguine, and had every confidence that, in accordance with the prayer contained in my former yad, dated the 2d April, the sahib would have sent for the parties placed as a guard over me by goomasta Baba Nafra, and, after having examined them, would have punished Baba Nafra according to his demerits, and that the sahib would have also caused the removal of the guards placed over me by the Guicowar Sirkar, and have granted me puttawalas to protect me, and further, that the sahib would otherwise have protected me; but, much to my misfortune and sorrow, such has not been done; but, on the contrary, the sahib has made such answer to my respectful request above referred to, as is inconsistent with the sahib's wisdom; nevertheless I cannot write otherwise to the sahib upon this subject; should the sahib not retain such benevolent heart, then there are no hopes of my ever obtaining redress.

2. For this reason, *i. e.*, the Guicowar Sirkar, and my rebellious goomasta Baba Nafra, both placed guards upon me, and otherwise severely oppressed me to such an extent, that even my reputation had been compromised, and my feelings and life are so outraged, that death would be far preferable to the disgrace and pain inflicted on me, by being subjected to such oppressions, the particulars of which, with the view of my suffering being alleviated, I was induced to write and submit for the Resident's information; but, owing to some one belonging to the Baba's faction having misrepresented things to the Resident, the sahib has conferred a very great boon of justice towards me, by deciding that I am in possession of the joys, and jewels, and other wealth belonging to the said firm of Hurree Bhugtee, and that, owing to my youthfulness and precaution, which are considered necessary to prevent interested parties plundering me of such wealth, and, further, with the view of upholding the respectability of the name of Hurry Bugtee, it would appear that the Guicowar Sirkar has been induced to place the guards to protect, and not to oppress me. The above conclusion, arrived at by the sahib, and written for my information, the sahib's karcoon, Narrainrow Chimnajee, came and read and explained to me, which has been a source of much regret to me. The Guikwar Sirkar, by extending his countenance and support towards my rebellious goomasta Baba Nafra, causes the squandering away of lacs of rupees of wealth from the firm; and further, this Baba Nafra, who had abducted my son, has adopted such precautionary measures, that there is no ascertaining the child's fate:

upon

upon this subject my mother had presented several petitions to the Bombay Government, of which, one, dated the 2d August 1847, has been referred to the Residency, and upon another petition upon the same subject, dated the 21st December 1848, is the Bombay Government endorsement, to the effect that "this petition should be presented to the Resident," and, in obedience to such an order, on the 6th March 1849, this petition was presented to the Resident, in which had been embodied the particulars of the various acts of oppression which had been perpetrated towards me; but the Sahib omitted to pay any attention to such petition. In this same petition, dated the 6th March, I had detailed the sufferings I was subjected to, from the imposition of these guards, and from the want of funds to meet my expenses; and I solicited that the sahib would personally visit me, and satisfy himself of the truth of my representations; but this request the sahib did not think proper to comply with; instead of doing so, had come to the above conclusion, which appears very extraordinary, because the party to whom it was necessary to afford just support and assistance, has been involved in difficulties, by believing the statements advanced by the Guicowar Sirkar, which was not proper.

3. "Owing to your youthfulness, the Maharaj, it would appear, may have placed the guards to take care of you;" the Resident, having thus written, should consider, that two years ago I must have been younger, at which time my rebellious goomasta exposed me to much oppression, forcibly abducted my son, Mateelall, plundered the house of my father, and placed myself and others in confinement; at this time the Guicowar Sirkar afforded protection to this lawless man, and gave me no redress. At the present time I am with my parents. From the representations made by the Maharaj, or his karbarees, the sahib has been made to believe that the guards placed over me are with the view of protecting me; but before the sahib gave credence to such statements, it was necessary for the Resident to have taken into consideration the various papers in existence upon this subject, and which plainly establish the fact, that I had quitted my house with a single suit of clothes, which fact I have repeatedly brought to the Resident's notice; and further, this villanous Baba Nafra, previously to his putting into execution the acts of oppression which he had plotted against me, under the plea of requiring them for his daughter, obtained the loan of my jewels from me, which he has never returned to me; such being the case, he falsely represented things to the Maharaj, owing to which, the Maharaj now writes, that I am in possession of the jewels and wealth belonging to the firm of Hurree Bugtee; but what I ask is, why does the Resident not institute an inquiry into this matter? It is inconsistent with the wisdom of the Sirkar to take for granted the false representations made by the Maharaj, owing to which I am hopeless; and the Baba having perverted the judgment of the Maharaj, exciting him with the hope of gain, has succeeded in inducing him to come to the conclusion that I possess no rights whatever to the wealth belonging to the firm of Hurree Bugtee, and such being the state of affairs, it is incumbent upon the Resident to possess himself with full information as to what the rules are according to the usage of the caste with reference to this point; as to what extent the Maharaj is justified in protecting the interests of the sowcars subject to his jurisdiction, and whether the present Maharaj has acted in accordance with such usage. The whole world being well informed on this subject, it is needless for me to enter into it further than by instancing the following cases. The party pronounced guilty by the Bombay Government of having brought about the ruin of my good name, and wealth, and of compromising the lives and liberty of my people, the Maharaj, strange as it may appear, has taken under his immediate protection and patronage, and, permitting his judgment to be influenced by the counsel of this villain, the Maharaj has been induced to misrepresent facts to the Resident, thus placing the judgment of the Resident upon a similar footing as his own; but this state of things the Resident should not permit to continue, but rather he should, as above stated, inform himself of a few instances as to the nature of the protection the Maharaj affords. The firm of Ruttonjee Kandass at one time had the sum of 40 lacs of rupees in deposit, besides the jewels, joys, estates, &c.; whereas at the present time, owing to the *liberal protection extended towards this firm by the Maharaj, it cannot boast possession of* 40 *rupees.*

4. It is stated that, "owing to the acts of fraud being perpetrated in the country and this city, the Maharaj has been induced to place the guards to protect your interests;" but in this country and city there are many parties of great respectability, and others reputed to be possessed of wealth, more or less; and the Resident should inform himself as to the number of such parties who have guards placed by Maharaj upon them for their protection; further, the sahib writes, that, "owing to the great respectability of the firm of Hurree Bugtee, these guards have been placed;" but if the Maharaj actually intended to have upheld the great respectability of the firm of Hurree Bugtee, he should have at the time the Baba had commenced oppressing me, deputed some of his men to investigate the matter, and afforded protection to me and my infant son. Even with a common patel, it is usual for him to duly investigate cases, and protect the inhabitants under his jurisdiction against oppression and extortion; but the Maharaj is supreme in Guzrat, yet he afforded me no redress or protection. Further, the Resident writes that "these guards not been placed to inconvenience me, rather to protect my interests." Upon learning this, I am at a loss to understand what could have induced the Resident, who is reputed to be possessed of great wisdom and judgment, to have come to such conclusion. The Resident having deputed his own karkoon to read and explain the sahib's order upon my petition was very proper, because the Maharaj's jassons remarked, in the presence of the sahib's karkoon, Narrain Rowjee, that the spot where I was at the time seated I constantly occupied, and that whenever I went about in the house, that he (the said jassoos) accompanied me by the

orders of the Maharaj. This subject the sahib should be pleased to take into consideration, and judge whether such restriction be imprisonment, or a protection of my interests; also, whether it be proper or just on the part of the Maharaj to subject me to such disgrace, and whether it is a proper act for the Maharaj to so oppress me without any sufficient or reasonable cause. This the sahib should take into his mature consideration.

5. The sahib has written, that "it is very improper by the advice and promptness of vakeels, &c., to give the Sirkar unreasonable trouble." With reference to this, I beg to submit, that in the whole world nothing is done without deliberation, and there is no one in the world who acts otherwise; but as for my part, I do not adopt the bad advice of any one, and further, I entertain nobody about me to give me bad advice; those who are about me are respectable and good people; and the imprisonment which I have been subjected to regarding it, unless to the Resident, to whom should I appeal in order to get redress? If this be taken into the sahib's consideration, he will dispel from his mind the conclusion that I am putting the Sirkar to unnecessary trouble.

6. For the upholding of the great respectability "of the firm of Hurree Bugtee," the Maharaj Sirkar has resorted to this very benevolent measure of placing guards upon me, but with only a single suit of clothes; I joined my mother at Dhakjee's wadda, and upon sending my people to my house the next day for my clothes, the Sirkar prevented their obtaining them. This, however, the Maharaj did not take into account; and as the expenditure of my house amounts to lacs of rupees, and thousands of people are being provided for thereby, such being the case, yet up to the present time I have not been allowed a single half seer of flour from my house; even a person charged with the greatest crime imaginable, the Company Sirkar, within the 12 hours of the day, allows them food; it is incumbent therefore, on the part of Maharaj Sirkar, to take this into consideration, which, however, he does not do. Nafra having great influence over the Maharaj, how is it to be expected that the Maharaj should pay any attention to such matters? But the Resident had been written to about my expenses being defrayed from my firm; and the Resident, on the 31st December 1848, in his reply, stated, that he could not sanction the disbursements mentioned in my yad. But I did not wish the disbursements in question to be made from the Government Treasury, but from my own firm, regarding which, however, the Resident did not think proper to write to the Bombay Government, and refused the prayer at once. But the Company Sirkar having pledged their word to the Dewanjee's people, rendered them every assistance; now the same Sirkar's guarantee has been extended towards me: what objection, therefore, existed to the Sirkar permitting my expenses to be disbursed from the funds of my firm? At the present time it is owing to my evil destiny that there is no gentleman who is willing to dispense justice; but as I am put to much difficulty on account of my expenses, this disgrace the Resident should take into consideration.

7. What I beg respectfully to subjoin, the Resident should take into consideration, *i.e.*, that my forefathers obtained the Company Sirkar's guarantee, because the usage of the Mahratta Durbar was not to be depended upon, and to guard against any imposition being practised towards them, or their children; and for this purpose they sought and obtained the said guarantee; but, from the oppressions which have been practised towards me, such protection has been set aside, as appears from what the Resident has written to me. It is well known to the whole world that my son had been forcibly abducted and taken away; yet the very parties guilty of the perpetration of such an enormity, are permitted to continue oppressing me.

8. The Resident had stated in his letter, that an answer from the Bombay Sirkar might be looked for in a short time; but after so writing, the removal of the guards placed by the Guicowar Sirkar has been entirely lost sight of; for the parties composing the clique of Baba Nafra congratulate themselves that the Resident has written to the Bombay Government to induce them to withdraw their guarantee, which the firm at present enjoys, and that, upon this measure being sanctioned, as they enjoy the protection of the Guicowar Sirkar, they need not fear being punished, and that as I had been formerly confined in a dark room, that the time is approaching when I shall again be subjected to the same treatment; if such be the consequence of my having petitioned the Resident, I am hopeless. One circumstance troubles me much, *i.e.*, the Resident having written that my case is pending before the Government at Bombay, and that an answer in the matter may be looked for shortly; but Colonel Outram had ordered, that, consequent upon my mother, Laudbaee, not having given in her deposition, the case had not been concluded; but that, so soon as such deposition was taken, the case would be completed at the Guicowar Sirkar's, and would then be sent before him; and that when the case was so brought before him, he would take into consideration what I had to urge on my part, and have the case adjudicated; therefore, my mother was induced to give in her deposition; but I have not been informed whether, after the giving in of such deposition, whether the case has been sent before the Resident, or otherwise; but the sahib states that the case is pending before the Bombay Sirkar; therefore, I beg that the sahib will be pleased to afford me every information on this subject.

9. The Bombay Sirkar had written to the Maharaj to remove Baba Nafra and his partners in crime from their several offices, and it does not appear that the said Sirkar had given this order with a view of furthering their own interests; but it is evident that such order had been made with the view of preserving the friendship which obtains between both the Sirkars; and such being the case, these very parties, at the present time, should they ever feel disposed to murder one in my position, they may do so with impunity, as far as the Guicowar Sirkar is concerned; therefore, I am induced to solicit the Resident, that he will be pleased to transmit to me any order which may have been sanctioned by the Bombay Government, or any of the late Residents, permitting Baba to commit murder, so that I may

feel

feel satisfied, and not cease to adopt any measures calculated to secure me redress. The sahib should forgive me for thus troubling him, because the sahib would appear to be ignorant of the practice obtaining under the Guicowar Sirkar's rule; as also with the people and the custom of this country, and consequently I am denied redress, and exposed to much inconvenience and suffering; and therefore I am compelled to urge that you should inform yourself upon the above points, when only these intrigues are likely to be punished, and I relieved from my present miseries.

Dated as above.

(signed) *Settanee Joitabaee,*
In the hand-writing of Bhanabhaee.

P.S.—The above yad had been prepared, signed, and got ready for transmission to you, when, owing to the sahib's kindness, the puttawalla belonging to the Adawlut, and the jassoos who had been placed as a guard upon me, removed themselves from their post. The fact of their having done so, I beg to bring to the sahib's notice, and that I had formerly solicited the favour of being allowed a puttawalla from the sahib's hoozoor; and I now beg to solicit that the Resident will kindly sanction this indulgence to me, to guard against any obstruction being offered to my going to and from and remaining in my house. This is my prayer.

Dated Chytur Vud 4, Sumvut 1905 (11 April 1849).

(signed) *Joitabaee Settanee.*
In the hand-writing of Bhanabaee Kandass.

29.

TRANSLATE of an Endorsement by the Acting Resident upon a Yad, dated 11 April 1849, sent in reply to the Acting Resident's Yad, No. 269, by Joitabaee Settanee.

THE low and unbecoming language contained in this yad, prevented its being read further than the third para.; and, consequent upon the improper tone in which this yad is written to the acting Resident, and the many strictures therein used with reference to the Guicowar Sirkar, this petition is returned without having been wholly perused: when a petition is sent properly written, it will meet with attention.

(signed) *P. T. French,* Acting Resident.

(True copy.)
(signed) M. Battye, Assistant Resident.

Baroda Residency,
Dated 11th April 1849.

30.

TRANSLATE of a Yad from Joitabaee Settanee, the Widow of Sett Bechur Bhaee Samuldass, of the Firm of Hurree Bhugtee, to the Acting Resident, dated 20 April 1849.

BABA NAFRA and his party relying upon the support extended towards them by a very influential and great personage, have subjected myself and my people to the greatest acts of oppression, the particulars of which from time to time I have made known to the Resident, and respectfully solicited that my case should be duly investigated, and such redress granted as the nature of the persecutions we had endured might appear to be deserving of. This matter has been impending for the last two years, during which time I have implicitly obeyed the orders of the Resident, and made my sufferings known to him, as well as to the Bombay and Guicowar Governments; but up to the present time the road leading to what is called justice I have failed in finding. On the contrary, my several petitions have not only been unattended to; but I have been menaced; extraordinary conclusions have been come to, and extraordinary decisions have been passed in my case; and from this, I cannot understand how it is that the road leading to justice is abandoned, and how such conclusions are arrived at: thus, my hopes of meeting with redress, by representing the circumstances of my case to the sahib, have been damped. Nevertheless, I beg to submit the subjoined particulars for the information of the Resident.

Para. 1. On the 21st December 1848 I had petitioned, and, in accordance with the decision upon such petition, dated 25th January 1849, I submitted my second petition, dated 6th March, to you. In the reply to this petition, dated 8th March, the Resident stated, that the Bombay Government had been written to upon the subject, and that upon the receipt of the Bombay Government's decision in the case, the same would be communicated for my information. With reference to this, I beg to submit, that the particulars which had transpired up to the 21st December last,* the date of Colonel Outram's departure from hence to Bombay, I have already brought to the notice of that gentleman. At that period the charge of the Residency devolved upon Captain Battye; and my father and Karbaree personally attended upon him, during which, in accordance with the orders of the said sahib, the above Karbharee verbally afforded every information connected with my case; again called upon that gentleman, and again explained these matters to him. In the meantime the sahib's suwarree arrived, when an interview took place. Upon which occasion, Captain Battye detailed the whole particulars of my case to the sahib, and afterwards

* Mistake for 12th September 1848.

some conversation took place; after which, the sahib informed himself of all the particular which had taken place up to the period of the Colonel Sahib's departure, and with the view of affording redress, the sahib promised to have the case inquired into; but this was not done. What the sahib may have written to the Bombay Government regarding this case, as well as what had been written to the Guicowar Sirkar, upon the receipt of the reply thereto from the Bombay Government, he should know. But, owing to it, on Mahavud 12, my kamdar and father were sent for, and the order was communicated to them. If the sahib was desirous of obtaining such an order in this case, he should at least, previously to thus writing to the Bombay Government, have inquired of my kamdar regarding the particulars, and informed himself fully upon the subject previously to his so writing to Government; but this the sahib did not do, (but relied instead upon) the persons who had subjected me to such oppression, *i. e.* Baba Nafra, and his supporter, Gunesh Punt, the Guicowar Sirkar's kamdar; further, this Gunesh Punt's son is married to Baba Nafra's daughter, and he is at the present time in charge of affairs; and further, Nursoo Punt also is related to the Baba; therefore, taking the above into consideration, it is evident that all that I had written to the sahib has been suppressed, as was the case in the affairs of Kooshall Chund, the shastree, and others, who had been persuaded to agree to their disputes being similarly adjudicated at the Residency by punchayet; and the above-mentioned parties must have persuaded the sahib to have the present case similarly settled, and thus got the sahib to write for the sanction of Government to this being carried out. But in the present case there are two distinct parties, and, according to both sides, the case has not been separately inquired into: it is evident, therefore, that the sahib has been misinformed, and has reported on this case without taking the trouble of informing himself of its merits: when, consequently, for the purpose of having the subject explained according to the orders of the sahib, and in accordance with the rules of justice, I happen to express myself anxiously in informing the sahib, he becomes angry, fancying that his orders are not respected. From fear of exposing myself to the sahib's anger, I have been induced to submit a memorandum of my case to the Guicowar Sirkar; but no attention has been paid to this representation; and I have been required to do such things as are entirely out of my power to do. On this subject I have to state, that the last yad which I had presented to the Guicowar Sirkar it refused to receive, but I know not what the Guicowar may have written to the sahib, and made him believe. Subsequently, on Maha Vud 12, my father and kamdar were sent for, and in the petitions presented by me to the Resident, dated 30th December 1848, and 3d and 17th January 1849, I acquainted the Resident with what passed, and thereupon, in accordance with the orders of the sahib, and his wishes on Post Sood 8th (2d January), and Vud 13th and 14th (22d and 23d January), and Maha Sood 4th and 8th (28th January and 2d February), I submitted yads in my case to the Maharaj, which, after having been read in the presence of my people, and after becoming acquainted with their contents, whichever party might have been considered to be guilty, should have been spoken to; but such was not the case; the Resident merely asked my father whether he had been to the Maharaj, and Govind Row was asked whether the Maharaj had sent for my father. After having thus interrogated both parties, my kamdar reminded the Sahib that petitions had been presented to the sahib, dated the 30th December 1848 and 3d and 17th January 1849; and the Maharaj, dated Post Sood 8th, A. D. (2d January), and Vud 13th (22d January), and 14th (23d), and Maha Sood 4th (28th January), and 8th (1st February), and stated that when the sahib will be pleased to peruse the whole of these documents, he will become acquainted with all the particulars of this case, and thus not be necessitated to seek for further information; and further, that by the perusal of those documents, the sahib will become informed as to the steps necessary for the investigation of this case, consistent with the rules of justice which he should adopt; for if the case were permitted to progress in the same manner as it has hitherto done, I must necessarily be subjected to much loss. The above, however, was not taken into consideration, and my kamdar was desired to hold his tongue, and further, was told that when the decision of the Bombay Government, to whom the case had been referred, arrived, that the same would be communicated for my information. Owing to which, I am hopeless; but I am necessitated to respect the orders of the sahib, without, however, being made acquainted with the nature of the report by the sahib to the Bombay Government. I feel at a loss how to make my grievances known to the Bombay Government, because up to the present time I have in no way obtained redress for the wrongs I have suffered; neither has any inquiry as yet in accordance with the rules of justice, been instituted in the matter: on the contrary, unnecessary delays have been permitted to intervene, having for their object the placing of the case, by procrastination, in such a position as to prevent its being ultimately established, and the charges contained therein brought home to the parties who have perpetrated them. Thus in every way am I betrayed into difficulties; and all that the sahib has done has been to remove the guards and jhassoos who had been placed upon me by the Maharaj and the rebellious Baba Nafra. Beyond this the sahib has done nothing towards relieving me from the difficulties I am surrounded by on every side. And the measures which, in accordance with the rules of justice, it was incumbent upon the sahib to have adopted, he has entirely overlooked, and set aside, and in their stead he issues orders upon me, while no attention whatever has been paid to the requirements which an impartial investigation of the matter would appear to call for, and which would appear to be in unison with the established wywut and usage in dealing with cases similar to mine. Yet, under the above circumstances, nothing but orders are issued upon me by the sahib. The order issued by the sahib, dated 5th April, consequently, appears to me as extraordinary as it is ambiguous

ambiguous and beyond my comprehemsion; and this order has rendered me quite hopeless, because I am quite at a loss to understand upon what grounds the sahib had issued such an order. In the sahib's yads my case, and the subject thereof, is noticed in quite a contrary manner. If it was intended to adjudicate the case upon its own merits, an inquiry should have at once been commenced; but such a course has not been adopted. I had from the first repeatedly brought prominently to the notice of the authorities my being placed under the strictest surveillance; yet this, too, has been set aside, while matters not adverted to by me in my complaint, and having no connexion whatever with my case, are being harped upon in the orders which the sahib has from time to time been pleased to issue in the matter, having for their object the screening of the acts of oppression which had been perpetrated towards me by both the Baba and the Guicowar Sirkar. The nature of such acts, however, is well known to the world, as also that the base upon which these orders have been constructed is a tissue of deeply concocted intrigues; and further, I have yet to learn whether the sahib had been induced to issue the order of the 5th April upon the representations which had been made by the Maharaj, or because I had complained against the Baba; therefore the Resident should, as it is to me of the utmost importance to possess information upon this subject, be pleased to afford me such information; also, if his order really has emanated from any such representations made to him by the Guicowar Sirkar, that an attested copy of such representations be furnished to me. If, however, on the other hand, it be owing to representations made by the Baba, that a similar copy of such be furnished me duly authenticated. My motive for requiring copies of the documents adverted to above, is with the view of refuting the foul assertions which have been advanced against me, and which I make no doubt have gone far in prejudicing the sahib's mind against me. And further, my kamdar (vakeel) will also wait upon the sahib, with the view of giving him every explanation and information in this matter; for I feel sanguine that when such explanations are given, and taken into consideration, the sahib will be better enabled to arrive at the truth in this matter, and every particular connected therewith will become displayed and revealed before the sahib. Further, the sahib will be particularly satisfied, that, regarding myself and my kamdar, without cause or any sufficient grounds (as up to the present time no investigation or inquiry has taken place in which we have been called upon to participate or appear), no conclusion can possibly be arrived at as to our being fit or unfit. Yet, the plotters above alluded to have, no doubt by false representations, prejudiced the mind of the sahib against the fitness of my kamdar. Moreover, with the view of convincing the sahib upon this point, I beg to advance that it is not usual for any just judge to draw conclusions from the statement made by interested parties. And thus, I have no doubt, the sahib acts. Therefore, whatever of the measures adopted by the sahib be in unison with the above, it would be for the better; but this, as a matter of course, is left to the sahib's pleasure. Further, in the order of the above date, the sahib writes that "my case is pending before the Bombay Sirkar, and that in a short time the said Sirkar's decision in the case may be expected, and that I should not listen to the bad advice of vakeel and interested parties, und give unnecessary trouble to the Sirkar," &c. But I beg to submit, that this remark is at variance with the rules of justice, and the usual practice in such cases. If such a remark be made, it can only emanate from my opponent, or his supporters. But for such a remark to come from the sahib, does not appear proper; and consequently I am induced to submit to the sahib that, up to the present time, though my case has been under investigation, yet nothing definite has been arrived at. Consequently, I cannot understand how the imperfect proceedings in the case have been submitted to the Bombay Government. It is not the practice so to do in any case without, in the first instance, acquainting the complainant with the decision arrived at in the investigation. Such is according to the rules of justice. And further, without informing such plaintiff with all the particulars of the proceedings in the case, is it proper to hand up the same to the confirming authorities? But in my case nothing whatever of the kind has been done; but orders are being from time to time issued in the matter. For this reason, it is necessary that all the particulars which may have been in this case submitted, should be furnished to the complainant in this case by the sahib, because the sahib's report is upon the subject of my plaint. And it is therefore necessary that I should know what inquiry had been made, in order that I may have it in my power to refute the aspersions made against me by the supporters of my antagonist, which refutation the Bombay Government may thus be enabled to compare with the representations upon this subject which may have been furnished to the Government by the Resident, and then come to a decision in this case. Therefore I shall feel obliged by your kindly furnishing me with copies of the necessary documents adverted to above, and, pending the receipt of such copies, and the preparation of my explanations in this matter, the Resident should write to the Government to withhold their decision, because the conclusion as yet arrived at by the said Government has been formed upon a one-sided view of the case; whereas the decision which may be formed after the submission of my explanations, will be possessed of the virtue of having been deduced from receiving both sides of the question. If, however, the Resident be disinclined to write to the Bombay Government to the above effect, it is requested that this my yad may be transmitted for the said Government's information, because up to the present time I have remained passive, owing to the enjoyment of the British Sirkar's guarantee. And even those parties who do not at the present time possess such guarantee, upon failing to be redressed by the Guicowar Sirkar, the Company's Government, more readily than either Peishwa, or the King of Dhelli, ever took cognizance of such cases. Moreover, in every petty state, the chief, &c., upon prosecuting their subjects, the Com-

pany's Government, after satisfying themselves of the justice of the complaint of such subjects, do, as a matter of right, afford to such parties such redress as the nature of their case may appear to demand. Therefore, even in this manner, the Resident should be pleased to take my case into consideration; because the sahib, being our parent both in this world and also after death, he should not pay any attention to the misrepresentations made by interested parties, but, taking into consideration that I am in the enjoyment of the Company's Sirkar's guarantee, and the particulars detailed above, should grant me such redress as the sahib may consider its merits to entitle it to.

Para. 2. Parties in the enjoyment of the British Government's guarantee, written or verbal, have their interests cared for by the said Sirkar, so that no person dare practise any imposition upon them. And the said Sirkar ever evinces a readiness to attend to any representation made by such parties, and, according to the merits of their cases, to grant them redress; but it is not usual for such parties to be permitted to be oppressed, persecuted, and ultimately made over to the tender mercies of their persecutors, as has been the case with me. I beg further to solicit, that the particulars of my case, which from time to time I have, from Maha Vud 12, brought to the notice of Colonel Outram and yourself, should be taken into consideration, and redress granted me according to their merits.

Para. 3. But without in any way attending to the particulars of my case, as made known by me, various orders have been issued to me; this practice I beg may for the future be discontinued, and a proper adjustment of my case made. I had formerly brought various particulars connected with my case to the sahib's notice, and in the petition recently submitted I had noticed other matters; but this petition, without having been read, was returned to me on the 11th April 1849. In the same way if I were to answer in detail all the orders which have in this matter been addressed to me, such reply would necessarily be very voluminous, and consequently, without being read, would be returned to me, as in the case of my petition adverted to above; and further, whatever points the sahib might be pleased to notice in his orders to me, if I should be induced to advance detailed particulars of the oppressions I have been subjected to, for the purpose of explaining the same, the sahib will pronounce my doing this as disrespectful, and will become displeased with me; consequently I feel myself placed in great difficulty in writing to the sahib. Therefore, sir, should I write, I have to fear the above result; but, on the other hand, should I not write, how is it possible for the sahib to understand the nature of my grievances, and afford me redress; therefore, there would appear to be no other alternative but writing; and when the sahib will be disposed to take my representations into consideration, then only will the true nature of my case become understood, and I obtain justice. On the above account, I find myself involved in much difficulty; therefore, as above submitted, should the sahib, from the misrepresentations of interested parties, or from the dictates of his own judgment, formed without taking into consideration the misrepresentations of this sort of people, and thus departing from the direct path of justice, arrive at such conclusions in my case, what will a just judge say to it upon its coming hereafter under his observations? Therefore, in order to obviate such a result, the sahib should duly consider the subject, and all the particulars advanced by me, before coming to any conclusion in this matter. This would appear to be necessary, which the sahib should be pleased to take into consideration; but to follow this course is left to the sahib's own pleasure; as, for my part, I shall, to the extent of my power, continue seeking redress by petition.

Para. 4. Sir, my request only is, that you will be pleased to take into consideration my former petitions in this matter, and commence the investigation of my case. At the present moment I am in great distress about funds for my expenses, and this subject I had formerly brought to the sahib's notice, and at present I again do so; therefore it is necessary that some immediate arrangement be made regarding this matter.

Para. 5. Colonel Outram had informed me, that as there was no person to manage this case on my behalf, I should name some person to do so, and for the above cause, he suspended the further investigation of this case; and, in accordance with the desire of Colonel Outram, I engaged the services of a competent person to conduct the case. As for myself and my parents, we have been subjected to solitary confinement; and the investigation of this piece of injustice cannot be conducted by any other than the sahib; therefore, for the redress of this act of oppression, I have petitioned the sahib as regards the perpetrators of these acts of oppression, which they perpetrated without the sanction of the authorities, even eminent sowcars would not be permitted to perpetrate with impunity; but my enemies and others have thus oppressed us. Such being the case, how is it that no settlement is as yet made regarding this matter? The Sirkar is well aware that other cases are immediately settled; but my case, which has been pending for the last two years, is permitted to remain uninvestigated. Therefore it is solicited that the Resident will afford this case due consideration, and give a proper decision in the matter, so that I may be freed from all my trouble, and put in possession of my just rights; to prevent for the future a servant being guilty of such enormities against his mistress. Kind sir, in cases of less note than the present one, when parties complain they meet with instant attention, whereas my complaint is unattended to; therefore I beg to request that you will be pleased to consider the reason why this should be.

Para. 6. When the above impositions were being enacted towards my infant son, Moteelallbhaee was about 18 months old, who, together with his wetnurse were placed in confinement, and at midnight, after exposing them to much harsh treatment, they were conveyed away, upon which my mother, on our part, went to Bombay and complained, and my oppressors fancying that her exertions to obtain redress would prove abortive, and

that

that consequently she would return without obtaining justice, they were induced to concoc a plot with five or seven blackguards, and caused to be rumoured far and wide that the child had died, and in the meantime they removed the child away from the village of Amleeyara, and concealed him in some other place. Upon Colonel Outram becoming satisfied upon this point, he desired Baba Nafra and his colleagues to, in the first instance, produce the boy, and that an investigation would afterwards be instituted in the matter; and Colonel Outram had issued very strict injunctions to them upon this point, but Nafra being conscious of the existence of a plot, under the plea of a pilgrimage, despatched his family away from this place. This step he was induced to take with the view of squandering the funds of the firm, and of conveying the infant far away from his friends. Upon my acquainting Colonel Outram with the above particulars, and upon his believing the truth thereof, this gentleman, without awaiting the conclusion of the investigation at the time impending, became perfectly satisfied; but owing to my bad luck, this case not having been yet concluded, appears extraordinary to me.

Para. 7. Maha Luxmee Settanee being confined to her house, her son a child, and I involved in difficulties, as detailed above, materially facilitated the Baba's raising false reports, and concocting nefarious schemes for plundering the wealth of the firm of Hurree Bhugtee; independently of which, he exercises unlimited control over the affairs of the firm, and with the view of plundering the wealth of the firm, he has discharged all the old servants. For the remedying of these evils, I had formerly written to the Sahib to appoint a kamdar whom I had confidence in, and another in the confidence of Maha Luxmee Settanee to manage the affairs of the firm in the same manner as they used to be conducted during the lifetime of the Settjie; also, that pending the investigation of the case, the Resident should supervise the affairs of the said firm, so that the wyvut may be conducted properly, in the same manner as it was conducted formerly, and in accordance with the respectability of Hurree Bhugtee, and in order to prevent any defalcation taking place in the collections, and that on every side the wyvut should be carried on. In accordance with the above, I had solicited that arrangement should at once be adopted, and which I beg at the present time to repeat; for, being heir to the firm of Hurree Bhugtee, the above arrangements being entered into will be to my benefit. Moreover, as this state of things will save trouble to the Sirkar, the Sirkar also will benefit thereby.

Para. 8. According to the above, if immediate arrangements be made according to what I have already informed and may hereafter inform the Sahib, no unnecessary trouble will result to the Sahib, or the parties entrusted with the management of the affairs of this firm, and the business will be concluded with despatch, and in a satisfactory manner; and further, the extent of each person's bearing will appear then evident. I feel sanguine, therefore, that the Resident will be pleased to take the whole of the above circumstances into consideration, and not feel vexed at my writing to him, and not think it a labour to peruse my petitions, and take my case into consideration, and not allow this matter to become public; and thus, in whichever way (after the investigation of this case) the Resident may so desire, a settlement could be made.

(signed) *Settanee Joitaaee,*
in the hand-writing of Bhanabhoy.

P. S.—The Guicowar Sirkar's, jasoos and seepahee, as also the seepahees of Baba Nafra, who had been placed as a guard upon me, have been removed; consequently, at present I am relieved of the surveillance I had been subjected to; and this I consider a great favour conferred upon me; but it is necessary to guard against any obstacle being offered to myself and followers going to and returning from the house of my late husband, or places of worship, &c. Arrangements should therefore be made for the purpose of allowing me a Government puttawalla. To write more in detail would swell this petition to a very great size; therefore I write in a few words. Should it meet the Sahib's pleasure, he should arrange for granting me this indulgence. Further, if the Sahib will be pleased to transmit with this petition all the papers which have, up to the present day, passed upon this subject to the Governor in Council, and furnish me with copies of the same, and grant me permission to submit my case in detail, I shall feel obliged; and availing myself of the indulgence, will submit my case in detail, which the Sahib can submit for the information of the Bombay Council, to enable the Sirkar to become informed of the true bearing of the case, and thus enable them to grant me ample redress for the wrongs I have suffered.

Dated as above. (signed) *Settanee Joitabahee,*
in the hand-writing of Bhanabhaee.

31.

TRANSLATE of an Endorsement made upon the Petition of Joitabaee Settanee, dated 20 April 1849, by the Acting Resident, Captain *French*, dated 21 April 1849.

THE order in this matter is, that on the 10th April 1849 your petition, improperly written, had been received, and was returned by endorsement. The present petition, upon a perusal of a portion of its contents, has been found to be similar to your former petition, as regards the unbecoming language used therein; consequently it is returned to you without

without the whole of its contents being perused; therefore, if you are desirous of sending any petition, you should cause such petitions to be properly and temperately written.

Dated Baroda Residency, 21 April 1849.

P.S.—What is the benefit of your sending petitions? The Bombay Government has been written to regarding your case, and upon a reply thereto being received, the decision of the Bombay Government will be made known to you.

(signed) *P. T. French,*
Dated as above. Acting Resident.

32.

TRANSLATE of a Petition from Joitabaee Settanee to the Resident, dated 25 April 1849.

Para. 1. WITH reference to the Sahib's letter, dated 5th April 1849, No. 274, which has been received, I beg to state, that I submitted an answer on the 11th April 1849, whereupon the Sahib was pleased to endorse, that "consequent upon it being improperly written, it is returned, and that when a petition properly written was submitted, it would be attended to." Upon the receipt of the above order from the Sahib, I caused the said petition to be corrected, and again sent on the 20th April. This, however, was also returned, with a similar endorsement to that written upon my previous petition. You being omnipotent, the orders issued by you I must respect, and consequently my present petition is, that both the sirkars are the parents of the firm of Hurree Bhugtee, and I am in the place of a child to each of the sirkars. But the Company Sirkar is the paramount power between myself and the Guicowar Sirkar, to prevent the Guicowar Sirkar from in any way oppressing me; and a wise and benevolent gentleman like yourself, being the representative of the said Company Sirkar, I was induced, considering that Sirkar in the place of my parent, on account of such acts of oppression being enacted towards me, and no redress being afforded me, to embody a statement of all the sufferings I had been exposed to in the two yads which I had submitted for the Sahib's information, in the fervent hope that the Sahib, after perusing them, would take their contents into consideration. The Sahib being the paramount power, and I being severely oppressed, and considering the Sahib an omnipotent protector, I had thus laid my grievances before the Sahib; but the Sahib did not take this view of the case, and therefore caused both the petitions to be returned to me, as above stated. Nevertheless the Sahib is omnipotent, but it is urgently necessary that the Sahib should take into consideration that I am being severely oppressed, and that besides yourself I have no other to look to for redress, and that, consequently, if I do not lay my grievances before the Sahib, where am I to seek for justice?

Para. 2. My motive for writing on this subject at present is, that the explanations in reply to the contents of the Sahib's yad to me, dated the 5th April 1849, I verbally communicated to your karkoon, Narrain Rowjee, with my request that he should intimate the same to the Sahib, and I have no doubt but that the karkoon did so. But owing to no reply having been received from the Sahib upon this subject, I am forced to the conclusion that the Sahib did not place full reliance in what I desired the karkoon to intimate to the Sahib regarding my sufferings, owing to which want of faith in me, the Sahib has embodied the spirit of the Guicowar Sirkar's yad (enclosing the statements of Baba Nafra and others) in his yad to me, dated the 5th April; therefore I am induced to solicit the favour of your kindly furnishing me with the copies of the Guicowar Sirkar's yad, and the statements of Baba Nafra and others which accompanied the said yad, so that I may be enabled to refute the false representation made in those papers against me.

Para. 3. I consider it very necessary, in justice to myself, to refute such false accusations against me, because the accusations contained in the yad of the 5th April being false, I consider their being so written a great piece of injustice towards me, for I had left my house with one single suit of clothes; which circumstances I have repeatedly made known to the Resident, and even to the Government; yet this fact is set aside, and I am accused of having brought away with me to my mother's the whole of the jewels, &c. belonging to the firm. The next thing is, that the nature of the strict surveillance under which I had been placed by the Guicowar Sirkar and Baba Nafra, exceeding even that which a murderer is subjected to, this also is set aside, and it is made to appear to the Sahib that the guards had been placed upon me to protect my interests; and, similar to these, there are other false imputations cast upon me; therefore I am induced to solicit the favour of being permitted to have copies of the papers adverted to, and I trust to be so far indulged, so that I may be in a position to refute the calumnies which have been in those papers advanced against me.

(signed) *Settanee Joitabaee,*
in the hand-writing of Bahanabhaee.*

---

* No reply appears to have been given by Captain French to this appeal.

33.

TRANSLATE of a Yad from Joitabaee Settanee to the Resident, dated 7 May 1849.

BABA NAFRA and his colleagues, relying upon the support of certain influential parties, have subjected myself and my people to such oppressions and sufferings as they should never have thought of doing, and which they are still continuing to perpetrate towards us, the particulars of which I have briefly, from time to time, brought to the knowledge of both the Bombay Government and the Resident, Colonel James Outram. But I find myself involved in much difficulty as to the advisability, or otherwise, of following the course pointed out in the Sahib's mandate in this matter;* and the reason for my being placed in my present position emanates from the fear I entertain of exposing myself by any one act of mine to the censure of the Sahib. Up to the period of Colonel Outram's quitting for Bombay, from time to time I used to keep him informed of all the particulars of my distressing case by yads; but subsequently to that gentleman's departure, up to the 25th April, my case having been taken up by the officer in charge and acting for the Resident, I presented a number of yads, both at the Residency, and, by the Sahib's orders, to the Maharaj Sirkar. The particulars of my case I had communicated in my petitions, but in consequence of my case not having been investigated in the presence of my karbaree, I still find myself surrounded by a multitude of difficulties, for the purpose of being relieved from which I have thus, by yads, from time to time, solicited the Sahib to cause an investigation to be instituted in my case; but my solicitations have not been attended to, or taken into consideration, or even perused, and, consequently, an investigation of my case in the presence of my karbaree has not been permitted to take place; on the contrary, my yads were endorsed and returned to me on the 11th and 21st of April, without being even duly read, on which I beg to respectfully subjoin the following explanations.

Para. 1. "This petition has been only read as far as the 3d paragraph." An endorsement to this purport, dated the 11th April, obtains upon my yad of the same date; therefore it appears very extraordinary to me why the whole of the petition had not been perused.

Para. 2. The said endorsement further states, that "the petition in question contains very low and improper language," and the Resident severely comments thereon, owing to which I find myself placed in a very hopeless state, and am involved in much anxiety, because, for the last two years, myself and my friends have been treated with great rigour, cruelly oppressed, and tyrannized over; our feelings outraged, our reputation scandalised, and our wealth plundered; yet we have not been able to obtain redress; and when, under such circumstances, with the view of being relieved from the difficulties in which we are plunged, and from the cruelties practised towards us, of obtaining redress for the wrongs we have suffered and are still suffering, upon my making a respectful representation of the particulars of my case, so that by its perusal the Sahib might be made acquainted with all the circumstances connected therewith, and thus be enabled to meet the various false representations advanced by my enemies with the view of accomplishing my ruin; such a representation is denounced as containing low and improper language, and the points adverted to in such representations, which from time to time I have been induced to submit for the information of the Sahib, and which it was essentially necessary for the Sahib to have taken into consideration, and thereby adopt measures for their annihilation; such points the Sahib has set aside; and, owing to my evil destiny, the Sahib having taken quite a different and hostile view of the subject, has denounced the language of my petitions in this matter as low and improper. This, then, would appear to be the Sahib's ostensible reason for rejecting my petition and not taking its contents into consideration. With reference to this, I beg to submit, that if the whole of the particulars of my case be not detailed and brought to the Sahib's notice in my petitions, how can the Sahib become acquainted with its bearings; and what decision, consequently, could he be expected ultimately to arrive at, consistent with justice in the matter? Honoured Sir, the Almighty has created judges to protect such poor creatures as are similarly situated with myself from the cruelty of tyrants, and further to make arrangements calculated to afford protection and redress to the poor. Such being the case, if before such judges parties similarly circumstanced with myself be not permitted to submit the detailed particulars of their grievances, how could such judges be expected to afford to such parties ample redress for the wrongs they had been made to endure? Consequently, I have been induced from time to time to keep the Sahib informed of every particular connected with my case, and I humbly solicit that the Sahib will be pleased to take into consideration such portions of the particulars submitted, as may be considered necessary to meet the ends of justice, and then adjudicate my case; but not merely consider the language of my petitions, as the Sahib has done in his endorsement above noticed, but rather the Sahib should direct attention to the merits of my case, with the view of relieving me from persecution, and having only justice in view, commence at once the investigation of my case, in the same manner as a tender parent who shuts his eyes to the imperfections of his child, and directs the whole bent of his mind to his child's advancement in the path of honour and rectitude, because in this same manner, judges following the dictates of justice, and with the view of protecting the ryots from rapacity and oppression,

* Alluding to the orders she had received from Captain French.

oppression, are alive only to the oppressions with which such ryots are groaning under. Therefore, in the same manner, it is necessary that the Sahib be pleased to deal with my present case.

2. Regarding the oppression and tyranny I and my people have been subjected to, which from time to time I have made known to the Sahib, the truth or otherwise of such representations, as also the reasonableness or otherwise of the remark the Sahib had been pleased to make regarding the nature of the language used in my petitions, will appear upon the investigation of my case; but it appears quite evident that the Sahib is more inclined to attend to the style of the language used in my petitions, than to the grievances and atrocities of which such petitions complain. But I feel sanguine that upon the investigation of my case, it will appear beyond doubt whether the language used in such petitions, or the nature and extent of my sufferings, claim greater consideration at the hands of the Sahib; and further, it will become apparent the great cause which existed for the use of such language as I have been induced to employ. Protector of the poor, with what feelings I write, and how my motives are distorted and misrepresented to you by intermediate parties, there unfortunately exists no chance of knowing; but, notwithstanding, it is evident that my writings are so dealt with, which alone can account for the prejudice which has been created in your mind against me. Therefore, I am induced to solicit that such prejudice be expelled from your mind.

3. Further, the Sahib writes that "when a properly written petition be presented, it will meet with attention." With reference to this, I beg to submit, that any person having occasion to write a petition, will endeavour to do so properly to the best of his ability; whereas, in my case, though I have been subjected to so much oppression and suffering, I even leave out some of the occurrences when I write; and yet, such being the case, if it appears that I have written more than I ought to have done, this circumstance should not be taken into the consideration of a person who has to investigate this matter. The reason of my so writing, not the length only, and the intensity of the parties' sufferings, should be considered. Therefore, the Sahib should not take into consideration the nature of my language or writing, but my sufferings only should be taken into consideration; and as above solicited, the investigation of my case should be commenced with. This is necessary for the Sahib to do, and for me to request; and as to act thus is proper on the part of the Sahib, the Sahib should be pleased to inform me in which way he wishes me to make out my petitions in this matter, when such instructions, if they appear proper, will be followed.

4. As above noticed in my petition of the 20th, an endorsement was made on the 21st April, and returned to me, the reply to which being similar to that given in preceding para., its repetition here is unnecessary.

5. On the 21st April an endorsement had been made upon my yad of the 20th of the same month, to the effect that "what benefit would result from my sending such petitions." My reply to this is, why should I be asked as to the benefit I expect to result from submitting such petitions? A deal of benefit is expected, but if the Sahib send for my karbaree to his presence, and ask him, he will then make every thing known; therefore the necessary arrangements should be made, and the investigation of my case commenced in an impartial manner; then there will be no difficulty to show the benefits which I expect to derive; such benefits will easily be made apparent, and there will also be no need for inquiring about this matter. And further on, the Sahib writes, that "upon the receipt of the decision of the Bombay Government, to whom my case had been referred, the same will be communicated to me." Upon this point I beg to submit that the Sahib having formerly written to me in a similar manner, I had answered it in my yad of the 20th of April, which if the Sahib had perused or taken into consideration, then the Sahib would not have written thus to me; but as I had suggested in the above yad, he would through my karbaree have commenced the investigation of my case, and then there would have been no necessity for writing to me in the above manner; for as solicited in my yad, the papers, &c. would have been transmitted to the Council, and the whole of the proceedings in this case, either attested or otherwise, would have been furnished to me; upon which I should have framed a petition noticing such facts as I considered necessary to bring to the knowledge of the members of the Council, to satisfy by them of the truth of my case; and I should have submitted the same through the Sahib for transmission to the Bombay Government, when nothing would have been wanting to satisfy the above-named gentlemen and yourself of the truth of my case. But it has not fallen to my lot to have the investigation of this case conducted in a proper manner, and I am therefore helpless; and as there would appear yet to be some delay in the opening of my prospects, nobody therefore feels inclined to devote their attention to my case; consequently, under the above circumstances, having no other alternative, I am induced to implore the Sahib not to consider it as an inconvenience, but to take the prayer of my petition into consideration, and make arrangements for the investigation of my case.

6. The manner in which my case should have been investigated, I have from the beginning from time to time pointed out to the Sahib; and in my yad of the 20th April, also the subject was again noticed. According to which, or in any other way as may occur to the Sahib, the investigation of this case should be commenced upon, because, by doing so, much benefit therefrom will result to me; whereas by procrastination much loss has already been entailed upon me, and what remains to seal my ruin will also be brought about; consequently the sooner the investigation of my case can be brought about the better. Accordingly, in the above seven paras., to the best of my abilities, I have submitted explanations in reply to the endorsement the Sahib had been pleased to make upon my yads, respectively

respectively dated the 11th and 20th April, on the 11th and 21st idem; and the further explanations suggested to my judgment I beg to submit in the subjoined paras.

1st. At present I am involved in the deepest pecuniary difficulties with reference to my expenses, and as for my wealth, it is in various ways being squandered upon this subject. I have from time to time by yads brought the same to the knowledge of the Governor in Council, Colonel J. Outram, and yourself. If, accordingly, an investigation be early instituted in this matter, and arrangements made, the wealth and respectability of my ancestors, Hurree Bhugtee, will be saved; but should the above measures not be adopted, it is hard to say where the matter may end. Therefore it is necessary for the Sahib to kindly adopt the necessary steps in this matter.

2d. With reference to myself and my karbaree, owing to the inimical feelings entertained towards us by certain parties, what misrepresentations they may have made and are still making to the Sahib, with the view of prejudicing the Sahib's mind against us, I have no means of either ascertaining or refuting; but the respectability of myself and karbaree cannot become known to the Sahib unless we are admitted to participate in any business which might be going on in the Sahib's immediate presence; therefore if such opportunity be allowed, then the Sahib will be enabled to ascertain the high standing of various parties.

3d. The Sahib having written to the Bombay Government regarding my case, therefore I beg to solicit (that) copies of the yad, dated the 20th April, which was sent to the Sahib and returned to me with endorsement, may also be forwarded. A copy of this yad I have enclosed in a petition to the Bombay Government, and have sent to the Sahib. The reason for my doing so is, that, on the 20th December 1848, I had submitted a petition to the Bombay Government, and thereupon it was ordered by the said Government that any petitions I might wish to submit to them, I should transmit through the Resident; therefore the former packet to Government, which I had the honour of sending to the Resident for transmission, the Resident must have forwarded, and I trust the same indulgence will be extended towards me with reference to the present one.

4th. On the 25th April, I had petitioned the Sahib to permit me to have copies of the whole of the proceedings in my case, for the purpose of enabling me to send replies to the Sahib's orders, but up to the present time no reply to the above yad, or copies of the papers applied for, have been received by me from the Sahib; therefore the Sahib should be pleased to inquire into the matter, and cause the necessary copies to be furnished to me as early as possible, because the preparation of my petition in accordance with such proceedings is being delayed for the want of such papers; thereupon it is necessary that a reply to my petition, together with copies of the proceedings, should be transmitted to me as early as possible. The Sahib having written to the Bombay Government, it is necessary that my representation also be placed before the said Government at one and the same time, so that the said Government may pass a decision in the matter after becoming acquainted with both versions of the case; but my representations being delayed, is calculated to involve the matter in much difficulty, and cause the Government unnecessary trouble.

The above particulars the Sahib should take into consideration, and be pleased to grant an order in this matter.

(signed) *Joitabaee Settanee,*
in the hand-writing of Bhanabhaee.

34.

TRANSLATE of a Yad from the Acting Resident to Joitabaee Settanee, the Widow of Bechurbhaee Samuldass, dated 11th May 1849, No. 419.

After compliments.

YOUR petition, dated the 7th May 1849, has been received, in which it is stated, "that the packet which had been formerly sent to the Acting Resident it is hoped the Sahib may have been pleased to transmit to the Bombay Government, and the present one also it is solicited might be forwarded to its destination." In reply, be it known that the present closed packet which accompanied your letter under acknowledgment has been forwarded, and as to the other packet, obscurely adverted to in your present communication, I cannot understand to what packet it refers. Further, the request made to be furnished with copies of correspondence, be it known, that without the sanction of the Bombay Government, copies from the Government records cannot be given. To make the above known to you this letter is written.

35.

TRANSLATE of a Letter from the Acting Resident to Joitabaee Settanee, the Widow of Bechur Samul, dated the 25th May 1849, No. 483.

After compliments.

IN the matter of the complaint made by you regarding the abduction of your son, the orders of the Bombay Government having been received, the Maharaj has been written to, to have this case settled amicably or by punchayet, and in reply a yad from the Guicowar

Sirkar had been received, dated the 15th February, intimating that you declined having your case adjudicated by punchayet, and therefore the Bombay Government had been written to upon this subject, and a translate of the Maharaj's yad was also handed up for the information of the said Government. In reply to the above, a letter, dated the 21st May 1849, No. 2163, has been received, intimating that since you had declined to have this case adjudicated by punchayet, you be informed that the Bombay Government declines to interfere further in this matter; consequently this letter is written to inform you of the same.

36.

TRANSLATE of a Yad from Joitabaee Settanee to the Resident, dated Assud Sood 13th, Sumwut 1905 (A. D. 3 July 1849).

AFTER recapitulating the Resident's letter, dated the 25th May 1849, No. 484, replies as follows. That I had complained to the Guicowar Sirkar regarding the oppression Baba Nafra had subjected me and my family to, and that, in consequence of obtaining no redress whatever from the said Sirkar, my mother was induced to proceed to Bombay and seek redress from the Bombay Government, and that I had also laid my complaints before the Resident; and thereupon my mother was directed by the Bombay Government to return to Baroda, and that the Resident would be instructed to investigate the matter. Thereupon my mother returned to Baroda, and in accordance with the orders of the Resident, she gave in her deposition; after which, without any inquiry into the matter, the Resident wrote to the Bombay Government, and consequently the said Government decided that the matter should be amicably or by punchayet adjudicated; and, further, the punchayet was not to be convened by the Resident, but by the Guicowar Sirkar. But had my case been properly inquired into by the Guicowar Sirkar, and my grievances redressed in accordance with the rules of justice, what necessity existed for my complaining to the Bombay Government? And this the Sahib should have taken into consideration, which however he failed to do; but, upon the other hand, the grievances which I complain of, the Sahib altogether set aside, and took only into consideration the misrepresentations made by the Guicowar Sirkar, the supporter of Baba Nafra, and favourably set them forth in his letter to the Bombay Government, which induced them to come to the decision they have pronounced in this matter; and the Sahib having acted thus, now addresses the above orders to me, which consequently renders me hopeless. I have, however, despatched my mother, Lardbaee, to Bombay, to appeal against the Bombay Government's decision, because, as I enjoy the guarantee of the British Government, it is necessary that Government should grant me redress for the oppressions which I had been subjected to, and the lacs of rupees of which I have been plundered. And after the perpetrators of these enormities have been punished for the acts they have been guilty of, if the Bombay Government then decide not to interfere in my behalf, I shall remove to some place under the jurisdiction of the British Government; but in the meantime, having been subjected to much oppression, as detailed above, should the British Government refuse to interfere and grant me redress, then the fair fame of the said Government, whose guarantee I enjoy, must necessarily be stained. Therefore, having despatched my mother to Bombay, this is to inform the Resident of the same.

37.

TRANSLATE of a Letter from the Acting Resident to Joitabaee Settanee, the Widow of Bechur Samul, &c., dated 31 July 1849, No. 681.

After compliments.

IN the matter of the complaint made by you, regarding the abduction of your son, you had presented a petition to the Bombay Government, dated the 27th June 1849; and the decision of the Bombay Government in this matter has been received, contained in a letter to my address dated the 23d July 1849, No. 3126; therefore you are informed that the former decision of the said Government, which had been communicated to you under date the 25th May 1849, No. 483, to the effect that the Government declined to interfere in your case, and you are informed that the same decision the Bombay Government still adheres to.

38.

TRANSLATE of a Letter from the Acting Resident to Joitabaee Settanee, dated 18 August 1849, No. 746.

After compliments.

A REPLY to your petition to the Bombay Government, in the case of your son's abduction, dated the 9th August 1849, No. 3399, has been received, intimating that you should be informed that the Bombay Government's decision in this matter, contained in their letter, dated the 21st May 1849, No. 2163, should be considered final; therefore you are informed that the decision of the said Government, communicated to you in my letters dated 25th May and 31st July 1849, Nos. 483 and 681, is still adhered to by the said Government.

39.

TRANSLATE of a Yad from the Acting Resident to Joitabaee, the Widow of Bechur Samuldass, dated 12 January 1850.

After compliments.

A YAD from the Guicowar Sirkar, dated the 11th January 1850, has been received, enclosing copy of a petition from the elder Settanee Mahaluxmeebaee, the widow of Bechur Samul, in which it is stated that, under the plea of your mother Lardbaee's indisposition, you had gone to reside with her, and that at present the said Lardbaee having been restored to health, she has proceeded to Bombay: that such being the case, two years have now elapsed, but you have not thought proper as yet to return to your home, and continue to reside at Dhakjee wadda, and that such a procedure on your part is calculated to compromise the respectability of the firm; therefore it is incumbent upon you to return to the firm; but if any difference be made in the settlement made in your behalf by the late Bechurbhaee, your late husband, that you should make the same known to the Sirkar. Thus are you informed of the contents of the above yads. And you are further informed, that the decision of the Bombay Government has been received; that they decline interfering in the case regarding the abduction of your son, which had already been communicated to you in my letter, dated 25th May 1849, No. 483; and, further, you should not continue to reside away from your own home, which does not reflect credit upon the respectability of your connexions; therefore you should return and live with your elder Rival Mahaluxmeebaee, which will be very creditable to you. The above the Acting Resident considers to be proper, and consequently the same is communicated to you.

40.

TRANSLATE of a Yad from Joitabaee Settanee, the Widow of the late Bechurbhaee Samuldass, dated Maha Sood 13th, Sumwut 1906 (A. D. 25 January 1850).

IN the yad received from the Resident, dated the 12th January 1850, No. 23, it is stated that a yad from the Guicowar Sirkar, dated the 4th Moon of Suffer (A. D. 11 January 1850), enclosing a yad from the elder Settanee Mahaluxmeebaee, had been received, and that therein it is stated that, consequent upon the indisposition of my mother Lardbaee, I had gone to have an interview with her, and that my mother having recovered from her illness had again returned to Bombay; also that for the last two years I have continued to remain at Dhackjee's wadda, without thinking of returning to reside at my own house, and that such a procedure on my part is calculated to compromise the respectability of the firm; that therefore it is proper that I should return to my own house and continue residing there, and that if any difference be made in the arrangements made by the late Bechurbhaee Samuldass regarding my allowances, that I should make the same known to the Resident, and that, consequent upon the petition from the Guicowar Sirkar containing the above, the Resident on his part intimates that the Bombay Government declined to interfere in this case; also that such decision arrived at by the Bombay Government had been communicated to me by the Resident in his yad No. 483, dated the 25th May 1849, and further directing that I should, according to the respectability of the firm, go and reside at my own house with Mahaluxmeebaee, &c. With reference to which, I beg to submit the following answers, which the Sahib should be pleased to take into consideration, and make the necessary arrangements.

Para. 1. The Resident having ordered me to reside at the firm is very proper, because the firm is my house, and I am mistress of it; but the objections I have to going and living at the firm are as follows:—

1st. My goomashta Baba Nafra, having consulted with Mahaluxmee Settanee, by force, in broad daylight, abducted and took away my son Moteelal, had placed both myself and my parents in confinement; and for such outrageous acts, although three years have elapsed since their perpetration, up to the present time the Sahib has not afforded me redress; and in the same manner, the Sahib being influenced by the bad advice of my enemies, has, without acquainting me, written to the Bombay Government and obtained their orders in my case, yet the Sahib keeps advising me that it is proper for me to go and live with Mahaluxmee Settanee. This order of the Sahib I respect, and am willing to act according to the Sahib's wishes in this matter; but Nafra being a person of bad character, consequently I have not confidence that he will allow me to live in my house undisturbed, but rather that he will not fail to resort to every evil machination imaginable, even to the placing of my life in danger. As to this I am perfectly satisfied, because I am the plaintiff in this case, and my wrongs have not been duly investigated and adjusted; owing to this, I have been induced to despatch my mother to Bombay to try and obtain redress for me, and I feel sanguine that the Bombay Government will not fail to grant me redress according to the true merits of my case. I entertain not the slightest doubt upon this point either, but at the present time, owing to my evil destiny, a one-sided view of my case only has been taken, owing to the promptings of my enemies; but at the present time my petitions, &c. are before the Bombay Government, but when my fortune again opens, and an inquiry will be made into my case by confronting the parties on both sides, then the Sirkar will ascertain which are the guilty and which the innocent parties; and for this very reason, Nafra, assuming a humility quite foreign to his nature, has petitioned the Resident in the name of Mahaluxmee

Settanee, to induce me to return to my house and remain within the influence of his nefarious machinations; but even this I do not care about, and I am ready and willing, in accordance with your commands, to return to my home. But to guard against Nafra or any other party offering me any annoyance, the Sahib should be pleased to allow me the services of a couple of puttawallas, and for the purpose of preparing my meals and doing other work for me, I shall entertain such parties as I have confidence in; and further, I do not wish to have any one belonging to the Baba or his party near me, because they are at enmity with me, and a Foujdaree charge is pending upon the Baba; therefore it is evident that no pains will be spared to compass my ruin and take my life. Therefore, to guard against the perpetration of such atrocities, the Sahib should make arrangements, after the accomplishment of which I am willing and ready, agreeably to the orders of the Resident, to return to my own house and reside there.

Para. 2. Upon the representations of the Settanee Mahaluxmeebaee, the Sahib has been pleased to order that if any difference be made from the settlement made by the late Settjee, that I should report the same to the Sirkar; but it appears that the Sahib is not inclined to investigate this case, but writes in accordance with the misrepresentations made by the Settanee, which would appear to have much weight with the Sahib. The extent of my hopelessness amounts to this much only, that the Sahib will not give equal attention and consideration to the statements made by the Mahaluxmee Settanee and those submitted by me. If such impediment, however, be removed, then the Sahib will not be long in discovering which party has advanced the truth, and which otherwise; and that such an enormous atrocity has been perpetrated, that by force and head-strongness* an attack had been made, my son taken from me, and the house of my father plundered. These facts are well known to everybody, and such being the case, the Sahib is deaf to my calls for redress. From the misrepresentations made by the above-named Settanee, letters are written to me, but I am not aware that any arrangements had been made by the Settjee about me; and if he actually had made any such arrangements, why does not the Sirkar before my face cause the same to be inquired into, and established or refuted?

* *S. O.*

Para. 3. The Sahib further writes that the decision of the Bombay Government has been received, to the effect that the said Government declines to interfere in the complaint made by me regarding the abduction of my son, and which decision had been communicated to me in his letter dated the 25th May 1849. Thus the Sahib writes, but in the letter dated as above, it had been written, that as I would not agree to have my case adjudicated by punchayet, therefore the Bombay Sirkar declined to interfere in my case. Upon the receipt of which order from the Sahib, I despatched my mother to the Bombay Government, and therefore I am sanguine that the said Government will attend to my complaint, because the said Government up to the present time have not investigated the truth or otherwise of the case. After such an investigation taking place, the Government will decidedly not pay any attention to the parties who may be ascertained to have been making false representations; but the Government are our parents, and at the present time, excepting in the Company's Government, justice is nowhere to be met with, therefore I am sanguine that my grievances will be redressed.

(signed) *Settanee Joitabaee,*
By Bhannabhaee Khandass.

41.

TRANSLATE of a Yad from Joitabaee Settanee, the Widow of the late Bechurbhaee Samuldass, of the Firm of Hurree Bhugtee, dated Maha Vud 13th (A.D. 10 February 1850).

MY petition is, that Baba Nafra oppressed me and abducted my son. Upon this subject I had presented numerous yads to both the Sirkars; but up to the present time, my case has not been investigated, neither has my son been returned to me. On this account my mother proceeded to Bombay to lay this case before the Bombay Government, at which place she is now dangerously ill, and I am proceeding to see her face with the utmost despatch; therefore I beg to report the same for the information of the Sahib. This is my petition.

(signed) *Settanee Joitabaee,*
in the hand-writing of Bhannabhaee Khandass.

Endorsement:

The last orders from the Bombay Government in the petitioner's case having been already communicated to the petitioner, therefore this petition should be brought upon the dufturs.

(signed) *M. Battye,*
Assistant Resident.

Dated 11 February 1850,
Baroda Residency.

(True translations.)

(signed) M. Battye, Assistant Resident.

Appendix (B.)

CORRESPONDENCE with the DURBAR from 18 August 1848 to 14th September 1850.

1.

TRANSLATION of a Yad from Lieutenant-Colonel *Outram* to his Highness the Guicowar, dated 18 August 1848. No. 911 A.

ON account of the deposition of Lardbaee, wife of Bhanabhaee Kandass not being taken, the decision in the abduction case of the son of Joitabaee has been delayed; thus has it been written by the Sirkar as formerly received, concerning which she had been warned; but, in the mean time, she became sick, and yesterday Govind Row Rodia delivered a message from the Sirkar that Lardbaee should live in her own house; therefore Dr. Davis was sent to ascertain her state of health; he (Dr. Davis) transmitted a certificate of the same, dated 17th August 1848, in which he stated that he had seen Lardbaee, and it is his opinion that removing her from her present abode would be detrimental to her health; which conclusion has been come to consequent upon observing her state. This case having been prolonged for such a length of time, therefore the Durbar should transmit forthwith all the particulars regarding it; this is very urgent. The Resident sees no obstacle to the Sirkar sending one of his kamdars to Lardbaee's house, for the purpose of taking her deposition; therefore his Highness will greatly oblige by doing so, and transmitting all the necessary papers regarding the said case.

2.

TRANSLATE of a Yad from his Highness the Guicowar to the Resident, dated 22d Ramjan, Sumvut 1904, (22 August 1848).

UPON the receipt of a yad from the Residency, dated 25th July 1848, No. 760, regarding the granting of permission to certain parties who had attended in the abduction case of the son of Joitabaee Settanee, widow of Bachur Samul Parruck, from the village of Meetapoor, under the jurisdiction of Kaira, to return to their village, a verbal message was sent to the Sahib, by Govind Row Pandoorung, stating that many days had elapsed since the return of Lardbaee to Baroda, yet she would not attend at the investigation of this affair, and that the Meetapoor people had been detained for the purpose of being confronted with her; on which the Sahib sent word by the said Govind Row Pandoorung, that Lardbaee should be again ordered to attend, and if she failed on attending at the appointed time, then the Meetapoor people should be permitted to return to their homes; and according to the above desire of the Sahib, the authorities were ordered to proceed in this matter, and they sent a yad to Lardbaee, but up to the appointed time she failed to attend, and only a single day before the expiration of the day appointed for her attendance she fell sick, with the view of, as heretofore, absenting herself. On this point, however, there is no necessity to enter into details, but the Sahib will find no difficulty in arriving at the true cause of her pretended sickness, which would appear, from her continued absence, to evince her unwillingness to proceed with the prosecution of this case. Recently another yad has been received from the Residency, No. 868, dated 18th August 1848, in which it is written, "Lardbaee being sick, a kamdar should be sent to her for the purpose of taking her deposition: this course suggests itself to the Resident, &c.;" in compliance with which, on the part of this Sirkar, Meer Surfraz Ali, Gopal Row Myral, Trimbuck Shastree, and Bappoo Shastree having been appointed as a committee, a copy of the Sahib's yad was given to them, and they were desired to carry out the Sahib's views in this matter; but from the above-named parties a yad has been received by this Sirkar, as also verbal communications, and in their yad it is written, "Lardbaee up to the present day has been putting forth excuses to obviate her attending at the investigation, and at present the Doctor Sahib says that she is sick, and if, in her sickness, Trimbuck Shastree and Bappo Shastree should go and take her deposition, hereafter Lardbaee will be at issue with the kamdar on the subject, and put forth other excuses, and as she is putting up at Vakeel Ruggoobhaee's, how can her deposition be taken there, and this case be decided? Because, in this case, Lardbaee is the principal, and as it is necessary that her deposition after being taken, she be confronted with the other parties concerned in this case, which should take place in the presence of us four persons; and if such does not take place, how can this affair be adjusted?" &c. Thus is it written, and copy of this yad is transmitted, from which the subject will be understood by the Sahib; and further on this subject, the following remarks are submitted for the Sahib's consideration; that is, that the taking of Lardbaee's deposition in this matter, and her being confronted with the other parties in these proceedings, without taking place in the presence of these four kamdars, how can the case be properly adjusted? This the Sahib should take into consideration. It is now five months since Lardbaee's return to Baroda, and she has been repeatedly ordered by both the Sahib and this Sirkir to attend

at the investigation; but owing to the tutoring of the vakeel, &c., up to the present day, she has not attended, and at present it is said that she is sick, and it does not appear that during her sickness, by sending a kamdar and taking her deposition, that the case can be finally settled; therefore further proceedings on this matter had better be postponed until her recovery, when she can attend before the four kamdars, give her deposition, and be confronted with the other parties in this case. This appears to be necessary, but the Sahib's pleasure should decide the point. "The parties from the Meetapoor village should be dismissed, and at some future time, when this matter is revived, the Sahib will be written to, to cause their attendance." Thus have I informed the kamdars, and the Sahib also is made acquainted with the same by these presents.

3.

TRANSLATE of a Yad from the Resident to his Highness the Guicowar, dated 24 August 1848.

A YAD from the Guicowar Sirkar has been received, dated 22d Ramzan (22 August 1848), in which it is stated that in the complaint made by Joitabaee Settanee regarding her son, "her mother Lardbaee, in consequence of being sick, a kamdar should be sent to her quarters for the purpose of taking her deposition, has been received in answer to a yad from the Residency, 18 August 1844, No. 868, together with copy of a yad from Meer Surfraz Ali, &c., in which it stated that it will be a source of further litigation and excuses on the part of Lardbaee, should, during her illness, Trimbuck Shastree and Bappoo Shastree call upon her at her quarters for the purpose of taking her deposition, and that unless Lardbaee attends before the four kamdars appointed to investigate this case, for the purpose of giving her deposition and being confronted with the other parties in this matter, how can a final settlement of the case be brought about?" Thus is it written; whereupon be it known that when the Guicowar's kamdars are about to go to the quarters of Lardbaee for the purpose of taking her deposition, intimation should be sent to the Resident, when steps will be taken to cause the attendance of the doctor, for the purpose of seeing whether Lardbaee's state of health be such as to admit of her deposition being taken, and also at the time of such deposition being taken, should it be the desire of the Maharaj that Nursoo Luxmon should be there present, the necessary permission will be given him, according to the above precautions, when the deposition has been taken; any excuse made by Lardbaee hereafter will not be taken into consideration; therefore two of the Sirkars kamdars, the two Shastrees, should go to Lardbaee's to take her deposition, and Meer Surfraz Ali and Gopal Row Myral need not attend there; but no objection appears for their karkoons attending upon their behalf and accompanying the Shastrees. Therefore, having taken the above into consideration, adopt measures for the deposition of Lardbaee being soon taken, in order that the adjustment of this case may be early effected. The above having occurred to the Resident Sahib, the same is written for the Sirkar's information; therefore the deposition of Lardbaee should be early taken, the adjustment of this affair brought to a speedy termination, and the proceedings resulting from the same be transmitted as formerly requested.

4.

TRANSLATION of a Yad from his Highness the Guicowar to the Resident, dated 5th Shaval Socrsun (4 September 1848).

A YAD having been received from the Residency, dated 24 August 1848, No. 886, stating that Lardbaee is sick, whose evidence is required in the investigation going on regarding the son of Joitabaee Settanee, widow of Bachur Samul, accordingly Meer Surfraz Ali and Gopal Row Myral were desired to send Trimbuck Shastree and Bappoo Shastree to Lardbaee's house and take down her deposition. These persons accordingly went there, but Lardbaee would not give her deposition, and disputed with them; they therefore returned without taking her evidence. The first-named persons presented a yad with a copy of the Roz Kam to the Government; copies of them are herewith forwarded. I beg to state that while the proceedings in this case are about being closed, Lardbaee has refused to attend and give her deposition; that Joitabaee had before prevented persons from being examined at the Durbar; from this cause the case has been pending for one year, as will appear from the yad of the four kamdars on the subject. I therefore request that the Resident, after taking the above matter into consideration, will write to the Bombay Government in a clear manner, so that it may be informed of the reason of this case having been so long pending.

5.

TRANSLATE of a Yad from the Resident to his Highness the Guicowar, No. 927, dated 4 September 1848.

HAVING been informed that upon the occasion of the kamdar, on the part of the Guicowar Sirkar, attending at the quarters of Bhanabhaee for the purpose of taking the deposition of Lardbaee, the wife of Bhanabahee, in the pending abduction case of Joitabaee Settanee's son, and it being considered necessary that at the taking of such deposition no other person be present but the husband of the deponent, that the said Lardbaee objected to give her deposition unless a Mehta on her part was permitted to be also present, and subsequently to which, on the 1st September 1848, a goomasta on the part of Joitabaee having attended at the Residency, he was informed that it was very improper on the part of Lardbaee to refuse giving her deposition before the Guicowar authorities because a Mehta was not permitted on the occasion to be present with her husband; upon which he consented to Lardbaee giving her deposition without requiring the presence of any other body but her husband, and he was desired to attend before his Highness and intimate the same.

This day a yad has been received from Joitabaee Settanee, enclosing one to the address of his Highness the Guicowar, in which it is stated that her goomasta attended for two days with the enclosed petition for the purpose of presenting it to his Highness, but was prevented doing so; consequently the said petition to the address of his Highness, and copy of Joitabaee Settanee's yad giving it cover, are herewith transmitted, from which his Highness will become informed of all the particulars; and it is requested that for any impropriety Lardbaee may have been guilty of, she may be forgiven. This the Resident considers necessary; also, that the prayer of Joitabaee's petition should be taken into consideration, and the Guicowar officials should be again directed to proceed to Lardbaee's and take her deposition. This is the advice of the Resident, which is written for his Highness's information.

Bhadurput Sood 7th, S. 1904 (4 September 1848.)

Enclosure to the above.

TRANSLATION of a Yad from Joitabaee Settanee to the Resident, dated 4 September 1848.

YOU personally gave orders that I should go to the Maharaj and represent what I had to say; accordingly I sent a yad with a carcoon to the Maharaj on Sood 5, in the morning, who remained till 8 o'clock at night at the Durbar, but no one would receive the yad. The carcoon told Bappoo Shastree that no one of the jossoods, &c., would receive the yad, and requested him to take it to the Maharaj; Bappoo Shastree took the yad to Gopal Row Myral and others who were sitting near the Maharaj; they, after considering the matter, refused to take the yad. The following evening the yad was again sent to the Durbar, when Bappoo Shastree, after speaking many things, threw the yad away, and said it would not be received. The carcoon had therefore no alternative but to bring back the yad. I therefore beg to represent that I can in no way receive redress at the Durbar, on account of the partiality shown to the opposite party; and lest you might find fault with me, I sent the petition to the Durbar, agreeably to your order, which I now forward with this yad, and after acquainting yourself with the circumstances therein mentioned, please issue such orders as may appear best to you.

(signed) *Joitabaee Settanee,*
by Bhanabhaee Kandass.

ORDER.

Copy of this yad, together with the packet addressed to the Maharaj, was sent to his Highness on the 4th September 1848, with a yad, No. 927.

(signed) *J. Outram,* Resident.

6.

TRANSLATION of a Yad, No. 934, 6 September 1848, to his Highness the Guicowar, from the Resident.

WITH reference to a yad with two enclosures received from the Durbar, dated 5th Saval, Soorsun 1249, corresponding with 4th September 1848, stating that although a kamdar was sent as requested in the Resident's yad, No. 886, 24 August 1848, to take the deposition of Lardbaee at her lodging, in consequence of her sickness, in the case of the suit preferred by Joitabaee Settanee, widow of the late Bachurbhaee Samul, regarding her son, she refused to make the deposition without a carcoon being allowed to sit near her, I beg to state that prior to the receipt of the yad under reply, a yad was sent from the Residency, No. 927, 4th September 1848, requesting that if Lardbaee had made any mistake, she should be forgiven, and her statement taken through a Kamdar; it is hoped, therefore, your Highness will give attention to the requests therein made.

7.

TRANSLATE of a Yad from his Highness the Gaekwar to the Resident, dated 17 Shawal, S. 1904 (16 September 1848).

FOR the purpose of taking Lardbaee's deposition, Kamdars were deputed to her quarters, but she objected to give her deposition, and entered into an altercation with the parties thus sent, whereupon the Kamdars came away. The particulars which transpired on the above occasion were embodied in a yad to the Sahib, dated 5 Shawal, S. 1904 (4 September 1848), and at present the yad from the Sahib, dated 6 September 1848, has been received, in which it is stated that any impropriety Lardbaee may have been guilty of should be forgiven, and that the Kamdars should be again sent to her quarters for the purpose of taking her deposition. The yad from the Sahib in which the following request obtains is numbered 927; in answer, I beg to submit that when a person on the part of Joitabaee attended with a petition, he was informed that Joitabaee's father, Bhanabhaee, should wait upon the Sirkar, and communicate anything he was desirous of doing to the Sirkar, to whom also the petition should be delivered; thus for two days was he directed; notwithstanding, the said Bhanabahee failed in attending, and has since made false representations to the Sahib, and gave a petition in Joitabaee's name, which is so very objectionable a procedure on his part, that the Sahib should be pleased to take into consideration a yad presented to the Sirkar by Meer Surfraz Ali, Gopal Row Myral, Trimbuck Shastree, and Bappoo Shastree, copy of which is herewith transmitted, by perusing which the Sahib will become informed. Although, agreeably to the Sahib's request, the Kamdars had been sent to the quarters of Lardbaee for the purpose of taking her deposition, when she commenced disputing with them, and would not give her deposition, which induced them to come away, and subsequently, although Bhanabhaee had been directed personally to wait upon the Sirkar and communicate what he had to say and deliver his petition, he failed in doing so, and is making false representations to the Sahib. What is the nature of such conduct? Such being the case, the adjustment of this affair is necessarily delayed, and such delay being calculated to engender suspicion in the mind of the Sahib, and cause unnecessary correspondence between the two Governments, appears to be what is intended to be brought about. Therefore, to obviate which the following is written for the information of the Sahib; *i. e.* That Bhanabahee, not heeding the commands of the Sirkar, acts quite contrary to such; therefore Kamdars to be sent to his quarters from time to time for the purpose of taking the deposition of his wife, would appear to be at variance with what is due to the Sirkar's dignity, which the Sahib should be pleased to take into consideration, as also the necessity which, under existing circumstances, exists, that the taking of Lardbaee's deposition be postponed until her restoration to health, and then that she attend with her husband Bhanabhaee, and give her deposition before the four persons nominated for conducting this inquiry; this would appear to be necessary, but if it still be the pleasure of the Sahib that her deposition should be taken at her quarters, Trimbuck Shastree and Bappoo Shastree will be again deputed to do so; but how much such a course will be in direct opposition to what is due to the Sirkar's dignity, particularised above, the Sahib will be pleased to write, and bring to the notice of the Bombay Government, and which I trust will be done. To write further would be unbecoming, &c.

8.

TRANSLATE of a Yad from the Assistant Resident in Charge to his Highness the Gaekwar, dated the 18th September 1848; Bhadurwa Vud 6th, S. 1904, No. 981.

A YAD, dated 16th September 1848, with its enclosures from the Gaekwar Sirkar, have been received in reply to the Resident's yad, dated the 6th September 1848, No. 934, intimating that the deposition of Lardbaee remains to be taken in the case of the abduction of the son of Joitabaee, the widow of Bachurbhaee Samuldass; and further, that if it meets with the pleasure of the Sahib, that Trimbuck and Bappoo Shastrees will be deputed to the house of the said Lardbaee for this purpose. With reference to the above subject, the Maharaj having kindly, as suggested in the Resident's yad, No. 934, intimated his intention of deputing the two Shastrees above named to the house of Lardbaee for the purpose of taking her deposition, is proper; in accordance with which, after the taking of this deposition, it is necessary that the case should be completed and transmitted, with all the papers of particulars connected therewith.

9.

TRANSLATE of a Yad from His Highness the Gaekwar to the Resident, dated 5 Zelkath, S. S. 1249 (3 October 1848).

A YAD from the Residency, dated 18th September 1848 (No. 981), has been received, directing that both the Shastrees should be deputed to the house of Lardbaee, for the purpose of taking her deposition in the impending case of the abduction of Joitabaee Settanee's

Settanee's son; and in accordance with the pleasure of the Resident in this matter, Meer Surfraz Ali and Gopal Row Myral had been directed to depute kamdars to take Lardbaee's deposition; and thereupon they deputed Trimbuck and Bappoo Shastrees to the house of the said Lardbaee for the purpose of taking her deposition; but the said Lardbaee refused to give straightforward replies to the questions put to her, and commenced contending with the parties so deputed; and ultimately the said Lardbaee went so far as to declare that she did not intend giving the explanations required from her, owing to which the deposition had not been completed, and the kamdars deputed were necessitated to return without accomplishing the object for which they had gone there, and reported the circumstance, and submitted the incomplete deposition of Lardbaee for the information of the Sirkar, copies of which are herewith transmitted for the information of the Resident, from the perusal of which the subject will become elucidated. Lardbaee, up to the present time, avails herself of every plea to impede the accomplishment of the inquiry in the impending case; and, further, she advances unreasonable propositions, which from time to time I have reported to the Resident, but which do not appear to be kindly taken into consideration, and the necessary strict orders upon the subject have not been issued to Lardbaee. In the same manner, Joitabaee, under the plea of her mother's illness, has taken up her residence with her mother, since about the last two and a half months, without thinking of returning to her own home. Such being the case, censorious letters have been addressed to this Sirkar; and on this account, owing to the tutorings of interested parties, both Joitabaee and Lardbaee do not give proper answers to the kamdars; consequently the Resident should particularly report the same to the Bombay Government; and, further, Lardbaee should be strictly enjoined to attend, according to the usage of females, and from time to time give answers to the questions which may be put to her. Strict injunctions should be issued to the said Lardbaee upon this subject. Moreover, Joitabaee has, for the last two and a half months, been putting up at the quarters of Lardbaee, her doing which reflects much discredit upon the reputation of the firm of Hurree Bhucktee, and therefore it is necessary that strict injunctions should be issued to her by the Resident to quit her present and return to her former residence.

Enclosure to the above Yad (No. 1).

TRANSLATE of a Yad to the Maharaj from Meer Surfraz Ali, and others; dated Asveen Sood 5th, S. 1905.

A YAD, dated 18th September 1848 (No. 981), from the Resident, having been received by the Maharaj, directing that Trimbuck Shastree and Bappoo Shastree should be deputed to the house of Lardbaee, for the purpose of taking her deposition in the impending case of Joitabaee Settanee's son's abduction, &c., the Maharaj was pleased to issue the necessary mandate upon this subject; thereupon Trimbuck Shastree and Bappoo Shastree attended at the house of Lardbaee, but the said Lardbaee refused to make proper answers to the questions put to her by them, but commenced vaunting that unless arrangements be made in accordance with the contents of the petition she had submitted to the Bombay Government, that she would give no replies to the questions put to her, and independently of which she used many more similar disrespectful and unreasonable phrases; and consequent thereupon, as Lardbaee deposed I submitted to paper, and brought away with me, copy of which I beg to hand up with the present yad, and from its perusal the subject will become understood. Further, the present case is a weighty one, and Lardbaee figures in it both as complainant and the chief manager; therefore she talks according to the promptings of her own mind. Therefore, if she refuses to give proper answers to the questions put to her in this matter, how is it possible to bring this case to a final conclusion? This the Sirkar should be pleased to take into consideration, and cause strict injunctions to be issued to Lardbaee, to give proper and truthful replies personally to the questions which may be considered necessary to put to her in this matter, and that no other party should be permitted to answer on her behalf, because, in the present case, unless the parties themselves give evidence, no dependence can be placed upon the evidence advanced; and, in accordance with the above, after the deposition of Lardbaee is taken, it will be necessary for her to be confronted with the other parties in the presence of us all, so as to enable us to conclude our investigation in this case, and submit our proceedings for the information of the Maharaj. But up to the present time, consequent upon Lardbaee having advanced one plea or other, the conclusion of this inquiry has been considerably retarded; therefore the above circumstances should be taken into consideration, and the necessary strict injunctions should be made to Lardbaee, that she might be induced to give proper answers to the questions put to her, and not to give utterance to improper language before the Sirkar's kamdars. Measures should be adopted to bring about the above; but unless strict injunctions are issued to Lardbaee, it does not appear from her tone and manner that she will give proper answers to the questions put to her. Such being the case, how is it possible for us to bring this matter to a speedy termination? And the Sirkar keeps constantly writing to us to expedite the termination of this inquiry, and submit the proceedings for the Sirkar's information; but owing to the above circumstances we are

helpless. Therefore the Sirkar should be pleased to take the above circumstances into consideration, and acquaint us with the Sirkar's orders, which we are ready to carry out.

(signed) *Meer Surfraz Ali.*
Gopal Row Myral.
Trimbuck Shastree.
Bappoo Myral Shastree.

Enclosure to the above Yad (No. 2.)

TRANSLATE of the Deposition before Trimbuck Shastree and Bappoo Myral Shastree, made on the 14th Bhadurwa Vud, S. 1904 (26th September 1848), by Lardbaee, Wife of Bhanabhaee Kandass; Hindoo, Veesa Land Banian Caste, about 35 years of age, Resident of Baroda; Residence Dhackjee Kakno's house, in Row Poora.

Question. You petitioned the Bombay Government and the Resident, relative to your boy being taken from you, and delivered over to a Kolie, by the Karkoon of Hurree Bhucktee, Baba Nafra, of your daughter the Settanee, and your husband having been imprisoned and other subjects; a copy of which petition you sent to this Sirkar; you are therefore required to state all the particulars of the same?—*Answer.* I, on the 2d August 1847, sent a petition to the Bombay Sirkar and Resident, in which I stated fully all the particulars, to the effect that the Settanee's son, Moteelall, was in the habit daily of taking his airing in a paulkee, and that one day he was for this purpose placed in a paulkee, and sent to my house that day the Settanee was imprisoned, and prevented going out by the doors and windows being all fastened up, and a guard being placed near the Gurrallee Pole; this I heard the following day; also, that none of the Settanee's relatives were allowed to pass there; on which I went to the Bhaee Sahib (the ranee), and gave her the full particulars of what had occurred, and afterwards informed his Highness Gunput Row, that such were my oppressions, the whole of which through Succarem Purshotum was made known to the late Maharaj. His Highness Gunput Row bid me not to be distressed, saying that Joitabee, who is imprisoned, is to be released, and that my case would be fully inquired into; a few days after which, one day, 30 or 40 men, about mid-day (my dinner time), came and wandered through my house, spoiling my dinner, and confined Moteelalbhaee and the nurse Kooshallee in a room; after which, my husband (Joitabaee's father) and his mother were confined, and a sepahee struck Bhanabhaee, and whilst I was eating came to the door and stood staring at me. The sepahee and the jemedar named Seetaram, told me to go up-stairs. I replied, that if they laid hold of my hands, they should be denounced by* the Company's Sirkar; on which Seetaram Poorbeeya replied, "The Sirkar's denouncement is on my head, and I am a Sirkar's sepahee;" after which I came down stairs. In the meantime, a few people went up-stairs, and I having descended went outside, and Bhugwan Mujmoodar from the outside was attaching a chain to the door. In the meantime I raised a cry that I was being killed, on which the city people thronged in, and thus prevented the chain being fastened; the Arab sepahee, striking me, pushed me into the house; the city people inquired the cause of my being beaten, and I in the meantime crying, went to the Sirkar's palace, and seated myself in a room near the Adawlut, on the right-hand side in a room; some Ducknee Brahmins, together with a Banian, were seated. I did not know who they were; they inquired why I was crying, and said, "What have you got to represent to the Shastree?" The Shastree heard this, and the Banian told me to go up-stairs to the mandvee, where the Sirkar was. I was crying, but no one heard me; the Sirkar went up-stairs, and some people remarked that the Sirkar had heard me, but said nothing; afterwards I went to Bhaee Sahib's quarters of the house; the people told me that the Sirkar had come there to dine. In the meantime I went, and sat crying close to Baee Sahib's room, and I told her people of how I was oppressed, and whom I told to acquaint Baee Sahib of the same; and one of these people bid me sit down, saying, he would go and tell her; about four hours afterwards one of the people came and told me that there was no one who would listen to my tale of distress, adding, "the Baba is very powerful." Thus wearied, but I sat for three hours; a person came and said to me, "You have been seated here wearying yourself, but you still are experiencing the same oppression." All this the people said to me, but neither their names and themselves do I know. After this I rose and went to Jumboosur, and at my relation a Banian's house, I wrote a petition, and sent it to the Bombay Sirkar a month subsequently to this. I went to Bombay; there I three times petitioned. Such is my case.

* S. O.

Q. At the time of Bachurbhaee's dying, how many months gone with child was your daughter Joitabaee, and in accordance with the custom of women, how and by whom were the necessary arrangements made for her?—*A.* When my case, as contained in my petition, has been settled, then I will fully and clearly give proofs on the subject.

Q. A settlement in accordance with what you have petitioned for cannot be made; therefore can you give satisfactory proofs on the subject of your petition?—*A.* On what I have written in my petition being settled, I will then give my reply.

Q. After the Sett died, how long after was Joitabaee confined, and what women were present at the time of her confinement; what nurse, and what wages did she get?—*A.* When my case is inquired into agreeably to my petition, then I will reply and give my proofs; but the arrangement I wish made is contained in my petition to the Bombay Sirkar.

Q. You

Q. You have petitioned the Bombay Sirkar; should you be called on to prove what you have brought forward, can you give proofs?—*A.* When the inquiry comes on at the Residency, and the subject of my petition is arranged, then I will fully reply and substantiate all that I have brought forward. The arrangement to be made is to this effect: That Moteelulbhaee is restored to me, and Baba Nafra is confined, and the safe-custody of the wealth is provided for; also, an account rendered of such as may have been expended, as well as the restitution of such property as was dug out from my room, and that taken from Joitabaee; of all this Baba Nafra should be called on to explain. When all this above arrangement is made, then, and not till then, can I, or will I, give any answer.

Translate of postscript to the copy of a deposition made by Lardbaee before the Durbar, 14 Bhadurwa Vud, S. 1904 (26 September 1848); received at the Residency, 5 October 1848.

I, Lardbaee intimate to the Sirkar, that when my case is being inquired into, my vakeels will speak in my behalf to both Sirkars.

(signed) *Lardbaee,* Wife of Bhanabhee Kandass,
written by Ballabhaee Samdass, at Lardbaee's request,
her ⋈ mark.

10.

TRANSLATE of a Yad from the Acting Resident to his Highness the Gaekwar, dated the 22d December 1848, No. 1386.

WITH reference to Mr. Secretary Malet's letter, dated the 18th December 1848, No. 5269, I have to inform you that Settannee Joutabaee, the widow of Bhachur Sammul, of the firm of Hurree Bhucktee, having complained that the case regarding the abduction of her son has been a long time pending without being brought to any definite conclusion, the Bombay Government directs that both the settanees, *i. e.* Maha Luxamee Baee and Joutabaee, should be called upon to pass a razeenamah, duly attested, consenting to abide by the decision of a punchayet, consisting of two arbitrators, respectively chosen by either of the Settannees, and a chief arbitrator, in the same manner by them appointed to adjudicate their differences; but in the event of the said litigants compromising such differences amongst themselves, and granting a razeenamah to this effect, the Government is willing to sanction the matter in this manner being brought to a conclusion; consequently the Maharaj will be pleased to have the kindness to make the above known to both the Settannees, and I hope to receive your reply, informing me of both the Settannees having agreed to the above-named propositions. Separate letters, containing the above propositions, have been also addressed to the litigants in this matter, which is written for the Maharaj's information.

(signed) *P. T. French,* Acting Resident.

Note.—His Highness's reply to the above yad, dated 15th February 1849, and another yad of the same date, were forwarded to Government with Captain French's letter, dated 22d February 1849.

11.

TRANSLATE of a Yad from the Acting Resident to his Highness the Gaekwar, dated 20th March 1849, No. 246. No. 137.

A YAD, dated 19th March 1849, from the Settannee Joitabaee, the widow of the late Parruck Bhachur Bhaee Sammuldass, of the firm of Hurree Bhucktee, has been received, soliciting the removal of the guards placed upon her by the Gaekwar Sirkar and Baba Nafra, &c. Copy of the above yad is sent enclosed for the information of the Gaekwar Sirkar; and as the above-named Settannee enjoys the Company Sirkar's guarantee, placing of guards upon her does not appear to be proper; therefore it is requested that the Gaekwar Sirkar will be pleased to remove the whole of the guards so placed upon the said Baee, and write and inform me of this having been done.

(signed) *P. T. French,* Acting Resident.

12.

TRANSLATE of a Yad from the Gaekwar Sirkar to the Acting Resident, dated 6 Jammadil Ahwul, S. S. 1249 (31 March 1849).

A YAD from the Residency, dated the 20th instant, No. 246, has been received, intimating that the guards placed upon Joitabaee Settannee, the widow of the late Bhachur Bahee Sammuldass,

Sammuldass, of the firm of Hurree Bhucktee, by the Gaekwar Sirkar and Baba Nafra, should be removed, and enclosing copy of the said Settannee's yad upon the subject for the Sirkar's information, and further intimating that the said Settannee enjoys the Company Sirkar's guarantee, and that consequently it does not appear proper that guards should be placed upon her, and that therefore the guards should at once be removed, &c. In reply to the above, be it known, that the said Joitabaee used formerly to constantly inform the Resident that the guards placed upon her by Baba Nafra prevented any one from having access to her. Thereupon the elder widow of Bhachur Sammuldass, Maha Luxamee Baee, upon being questioned upon this point, she declared that the firm was large, and that the parties who visited her rival, Joitabaee, did so for the purpose of giving her bad advice, and that consequently the said Baee's father, heeding the counsels of such interested parties, was squandering away the jewels and other valuables belonging to his daughter; and upon hearing this the Sirkar, to protect the interests of the firm caused a jhassoos to be in attendance upon the Baee, and the said jhassoos was instructed, however, to not prevent the Baee's father, and the members of the Baee's family, having access to the Baee. The above arrangement was at the time made. In the mean time the mother of Joitabaee, named Laudbaee, had been, by some interested parties, advised to remove her daughter from the house of her husband, and with the view of carrying out this scheme, she pretended sickness, and reported the same to Colonel Outram; and upon the said Sahib communicating the circumstance to this Sirkar, Joitabaee was immediately permitted to join her mother, and this Sirkar had sent word by Govindrow Rhodeeya to the Sahib that Laudbaee's house was located in the city, and it would be proper for Joitabaee to go there; but that as she had gone to a strange place, it did not appear well, and that up to the present time the deposition of Laudbaee had not been taken. To this the said Sahib replied, that good people should be kept near her, and that so soon as Laudbaee became well, that she would be enjoined to attend. This conversation took place on the 6th moon of Ramzan Shrawun, S. 1904, (6th August 1848); and Joitabaee removed to her mother Laudbaee's house, and the attendants and sepaheis belonging to the firm accompanied her; and as the Sahib had ordered that trustworthy and good people should be entertained and kept near the said Settannee, therefore the first jhassoos, who had been deputed to this duty before, being trustworthy and intelligent, he was again deputed to attend upon the said Settannee. Subsequently, on the 16th Ramzan, 16th August 1848, the Resident informed Govindrow Pandoorung that he had sent Nursoopunt Tatteeya to Joitabaee, to caution her against remaining the night at Laudbaee's, but up to the present time such caution does not appear to be attended to; and at present Laudbaee is in the enjoyment of good health, and she has been so for some time back; yet up to the present time Joitabaee has not returned to her home, and even when Laudbaee had been desired to attend at the investigation of the impending case, she did not attend, and disregarded the injunctions of the Resident, directed * to her upon this point; and further, the Resident had sent to remind me about sending for Joitabaee, and privately advise her regarding this. Be it known, that my lady mother, Bya Sahib, had twice sent for the said Joitabaee, but she failed in coming. And this same subject had been in detail made known to the Sahib in my yad, dated 21st Rubbil Ahwul S. 1905, 15th February 1849; and ultimately the Bombay Government had decided that this case should be adjudicated by the appointment of a punchayet, the members composing which being chosen by the litigant parties; thereupon, also, Joitabaee had been cautioned, but she has not as yet sent any reply of her agreeing to such a measure; then it is quite evident that the said Baee, by listening to the bad advice of interested parties, evinces so much obstinacy, and treats with disrespect the orders of both the Sirkars, and yet no steps are taken to remedy it; and the Resident at present writes, that the Settannee enjoys the guarantee of the British Sirkar. Then it should be taken into consideration that such guarantee has nothing whatever to do with the private affairs of my subjects. At present the paragraph containing the reason why the British Sirkar's guarantee had been extended to Bhachur Bhucktee,† the Resident is respectfully requested to refer to, when the subject will be better understood. The will made by Bhachur Bhaee at the time of his death, Joitabaee should act in accordance with, viz., to render in an account of her jewels, and return and reside in her own house; and whatever she may be desirous of communicating to either of the Sirkars, she should do through the medium of her father, Bhanna Bhaee; and further, if it be her desire to continue the prosecution of the present case, she should, as suggested by the Bombay Government, name her arbitrators, and submit it to be adjudicated by punchayet, when the necessary inquiries will be made, and the case brought to a final conclusion. Regarding the placing of the guards, the said Settannee has made a false representation to the Resident, and which it is necessary that the Sahib should be pleased to take into consideration; and the personal attendants who had accompanied the Baee from the firm offer no obstruction to her whatever; and as for the Sirkar's jhassoos, he has been placed to protect the interests of the Baee, and the particulars of which have been already noticed above, and therefore the Sahib should be pleased to take the above particulars into consideration, and issue the necessary injunctions to Joitabaee to return to her home, and to agree to have her case adjudicated by a punchayet, composed of members appointed by either parties respectively; and further, it is made known, that those parties who fail to respect the orders of both the Sirkars, and treat such with contempt, the Resident continues to receive petitions from, and acts in accordance with their wishes; and for this very reason such parties entertain not the least fear of disobeying or treating with contempt the orders addressed to them by either of

* *S. O.*

† *S. O.*

of the Sirkars, and they think nothing of acting according to the dictates of their own minds; therefore this Sirkar entertains the hope that the Resident will give this subject his serious consideration and attention.

13.

TRANSLATE of a Yad from his Highness the Gaekwar to the Acting Resident, dated the 2d Moon of Rubbil Ahkur, S. 1905 (26 April 1849).

JOITABAEE SETTANNEE, the widow of Bhachurbhaee Sammuldass, by the bad advice of interested parties, having left her home, is at present residing in Dhakjee's waddy, and owing to the same cause, her mother, Laudbaee, under various pleas, refuses to be present at the investigation of the impending case of the abduction of the son of the said Joitabaee; and although this matter has been brought to the knowledge of the Resident, no measures have been adopted to remedy the evil complained of; upon which the subject had been a second time brought to the Resident's notice, and upon this occasion the Resident was informed that it was highly improper for this female to be putting up at a strange place; and to this the Resident replied that some trustworthy person should be appointed to remain near this woman; and in accordance with such order the Sirkar's jhassoos was appointed to this post, and he was instructed to take notice who the parties were who gave such bad advice to the Settannee; and at present the Sahib has ordered that this jhassoos should not be permitted to remain near the Baee, but at a distance away from her; therefore it is submitted, for the information of the Resident, that the Sirkarree jhassoos had been placed near the Settannee to prevent interested parties giving her bad advice, and to guard against any false representations being made to the Resident in the case at present under investigation; and so long as this person remains in attendance upon and near the Settannee, her evil advisers are precluded the opportunity of disseminating their poisonous advice in the ears of the Settannee; and for the purpose of relieving themselves from the above impediment to the maturing of their nefarious machinations, they caused the removal of the Baee from her own home at the firm, and located her amongst strangers; but even at this place, when they find that they have not attained their object, they at present have adopted their present course before the Sahib; and it was necessary that the Sahib should have taken the above into consideration, and given the petitioner an answer at once, to the effect that the petitioner having been by the Resident enjoined repeatedly, and she not having respected such injunctions, the Bombay Government have at last decided that the case should be adjudicated by a punchayet, composed of members chosen by both parties to this case; and that thereupon both the Resident and the Gaekwar Sirkar had communicated with her upon this subject, and that as she treated such communications with disrespect, that her present petition could not be attended to, unless she gave her written consent to have her case adjudicated in accordance with the orders of the Bombay Government in the matter; and had the Resident given her such an answer, she would never have thought of disregarding the Sirkar's orders in this case; but since such a course had not been adopted, she, relying upon the efficacy of petitioning, has at the present time petitioned for the removal of the party placed to guard her own interests. From the first there had been no guards placed upon the Settannee, and the Resident was advertised of this fact in the yad sent from hence, dated the 6th Jummadil Ahwul, S. 1905 (31 March 1849); yet upon this the Resident has written that the jhassoos should be directed to remain away from the Settannee, and the reason for having the jhassoos near the Baee has been already particularised above; and as any explanation which is submitted to the Sahib he does not take into consideration, therefore it does not appear of any use from time to time, without cause in such a reasonable case, to trouble the Sahib; the jhassoos has been removed, and which is reported for the information of the Resident. And in a friendly manner it is submitted for the Sahib's information, that if such a practice be introduced, it will go far to make parties enjoying the British Sirkar's guarantee unmindful of paying any respect whatever to the mandates of either of the Sirkars. And in this matter, during the time of Colonel James Outram, the proceedings instituted, and the opinion of the Bombay Government, dated the 22d December 1848, is embodied in a yad which has been received, and from the perusal of which this subject will become elucidated; and further the Sahib had informed Govind Row Rhodeeya to send for Joitabaee privately, and advise her; and thereupon, on the part of my lady mother Byah Sahib, parties had been sent twice to call her, but even then she did not think proper to attend; therefore, taking this into consideration, it will be ascertained how very headstrong she must be, and therefore the Sirkar entertains the hope that the whole of the past proceedings in this matter the Sahib will be pleased to in detail report for the information of the Bombay Government, and cause the party who had the temerity to treat with contempt the mandates of both the Sirkars, to be severely punished, because Bhulwunt Row Gaekwar and others of his stamp have abandoned the even course they had formerly pursued, *i. e.* respecting the orders of the Sirkar, and at present have become rebellious, the particulars of which have already been brought to the notice of the Resident; and as no measures have been adopted to remedy this evil, they are continuing in this very objectionable course; and for this very reason, the deposition of the petitioner, dated Chytur Vud 7th, had been sent with Govind Row Rhodeeya to the Resident for his information, because in this manner the parties who are in the enjoyment of the British Sirkar's guarantee have left the even course pursued by

them formerly, and have taken quite a different and very objectionable route; therefore it is incumbent upon this Sirkar to advertise the Bombay Government of the same, and consequently the Resident is requested to have the kindness to take into consideration the above particulars, and write and inform the Bombay Government with the same.

14.

TRANSLATE of a Yad from the Acting Resident to his Highness the Gaekwar, dated 12 June 1849.

A YAD, dated the 15th February 1849, in answer to the Resident's yad, dated the 22d December 1848, No. 1386, &c., regarding the complaint made by Joitabaee, the widow of the late Bhachur Sammuldass, of the abduction of her son, has been received, stating that no definite or reasonable reply can be obtained from Joitabaee, and requesting that this be made known to the Bombay Gevernment, and thereupon the translates of both of the yads received from the Maharaj had been handed up with the Resident's letter, for the information of the Bombay Government, and in reply to which, a letter from Mr. Secretary Courtney, dated the 21st May 1849, No. 2163, has been received by the Acting Resident, intimating that since Joitabaee is not desirous of having her case adjudicated by punchayet, the Bombay Government declines interfering in her case, and directing that Joitabaee be informed of the same; and in accordance with which, the said Joitabaee has been made acquainted with this decision, and this letter is written to inform the Maharaj of the same; and further, it appears that if this case could be brought to an amicable settlement it would be very desirable. This the Maharaj should be informed of.

15.

TRANSLATE of a Yad from his Highness the Gaekwar to the Resident, dated the 4th Moon of Suffur, S. S. 1250 (10 January 1850).

A YAD from Maha Luxamee Settannee, the elder widow of the late Bhachur Sammuldass, of the firm of Hurree Bhucktee, has been received, intimating that the younger Settannee Joitabaee, having, by the tutoring of interested parties, advanced the plea of her mother Laud Baee's illness, joined her mother, and that up to the present time she has not returned to her own home, and although her mother Laud Baee has proceeded to Bombay, that the said Joitabaee continues residing at Dhackjee's wadda, and that the parties belonging to the firm who were in attendance upon her, the Sirkar has removed, and that Joitabaee, by the advice of interested parties, is squandering away the jewels in his possession, and requesting that the Settjee's respectability being taken into consideration, that the Sirkar should adopt such measures as will induce Joutabaee's return to her own home, &c. Copy of the above yad is transmitted with this yad, and from its perusal the matter will become better understood by the Resident; and in a friendly way the Resident is informed that when the Settanee Joutabaee's mother was indisposed, immediately upon the receipt of the order from the Resident, that Joutabaee should be permitted to visit her mother, this Sirkar permitted her to do so; and such being the case, she is at present recovered, and has proceeded to Bombay, yet the Settannee Joutabaee has not thought proper to return to her home, but continues residing separate, and which procedure on her part is not calculated to reflect credit upon the respectability of the firm, and consequently, she has been instructed to return to her own home at the firm, and to conduct herself in accordance with the line of couduct marked out for her to follow in the paragraph of the will prepared by the late Bhachurbhaee Sammuldass, her husband, at the time of his death; and should, however, any difference be made regarding the provision made for her in the above paragraph of the Settjee's will, she should be instructed to make the same known to this Sirkar, and she has been assured of redress being afforded her. The Settannee has been thus enjoined, and it is requested that the Resident should in a similar manner caution her.

Enclosure to Yad, dated 10th January 1850.*

TRANSLATE of a Yad from Maha Luxamee Settannee to the Maharaj, dated Post Vud 5th Sumvut 1906 (3 January 1850).

THE younger Settannee Joutabaee, being tutored thereto by her parents and relying upon the support of evil advisers, concocted intrigues, and put both the Sirkars to much unnecessary trouble. In the mean time it had been advanced that the Settannee's mother had been indisposed, and under this plea she requested permission to visit her mother for a short time, and having then gone upon this visit, she has not up to the present time returned, but has taken up her residence in Dhackjee's waddee; two years having elapsed since she has left her home, and in the month of Jaist, Sumvut 1905, July 1849, her mother Laudbaee left Bombay, and the parties from the firm in attendance upon Jetabaee, she, by false representations, have caused to be removed, as also the Sirkar's jhassoos, who had been placed

near

near her to protect her interests; and further, she said Settannee being young, she has evinced much disregard to what is due to her own respectability and that of the firm, by continuing to reside amongst males by herself, and she is surrounded by interested parties who give her bad advice, and the above circumstances taken together is calculated to reflect much discredit upon the respectability and fair name of the Settjee; and further, by the advice of the interested parties above adverted to, she is squandering the jewels she is possessed of, and as the firm of Hurree Bhucktee is great, the circumstances detailed above reflect much discredit upon it; therefore it is necessary for the Sirkar to adopt measures to remedy the evils complained of, because the Settjee drew up a will in his own handwriting for the purpose of regulating the affairs of the firm, and that of his family; and in the said will a paragraph obtains * regarding Joutabaee, and upon the perusal of which the intrigues had recourse to by Joutabaee, by the bad advice of evil-disposed parties for the purpose of squandering away her jewels, &c., will become better understood; therefore Joutabaee should be directed to return and live at her own house.

* *S. O.*

16.

TRANSLATE of a Yad from the Resident to his Highness the Gaekwar, dated 2 July 1850 (Jaist Vud 8th, Sumuvt 1906), No. 484.

A PETITION having been presented at the Residency, on behalf of Bhyejee Ghoillah, Lulloo Bhugwan, and Bhugwan Buwanneedass, inhabitants of Baroda, their attendance in person before the Resident is considered necessary; therefore it is requested that you will have the kindness to adopt such measures as to ensure their attendance at the Residency, without fail, at ten o'clock A. M. on the 3d of July 1850.

17.

TRANSLATE of a Yad from his Highness the Gaekwar, dated the 22d Saban, S. S. 1251 (3 July 1850), to the Resident.

IN your yad, dated the 2d July 1850 (No. 484), it is stated that "Bhyejee Ghoilla, Lulloo Bhugwan, and Bhugwan Buwanneedass' attendance are required; therefore on the 9th Jaist Vud, at 10 o'clock on Wednesday, without fail, they should be made to attend at the Residency." Thus was it written; upon which, agreeably to the Resident's requisition, the said individuals, at half-past nine o'clock, in charge of the Chubbootra Jemadar, and other sepahees, were despatched to the Residency.

18.

TRANSLATE of a Yad from the Residency to his Highness the Gaekwar, dated the 3d July 1850 (Jaist Vud 8th, Sumvut 1906), No. 489.

IN accordance with the request contained in a yad from the Residency, dated 2 July 1850 (No. 484), the goomastas of Parruck Purshotum Bhashurbhaee, of the firm of Hurree Bhucktee, *i. e.* Bhyejee Ghoillah, Lulloo Bhugwan, and Bhugwan Buwanneedass having personally attended at the Residency, they are sent back with the present yad; and as these parties, in their statements made before the Resident, have preferred a serious charge against the Moonim Goomasta, of the firm, Baba Nafra, and as they, it would appear, have been subjected to much oppression, and further, as the said firm enjoys the British Sirkar's guarantee, therefore it is necessary, after his Highness the Gaekwar has satisfied himself, for the Resident to investigate the serious charge preferred against the Moonim Goomasta, and the result of such investigation will at a future time be made known to the Gaekwar Sirkar. In the meantime, however, it is requested that the Maharaj will think proper to adopt such measures as may be calculated to guard against these parties being subjected to further oppression from the said Moonim Goomasta, as it would appear that these men have already been for four months imprisoned by the Moonim Goomasta; and it is further requested, that, till the adjustment of this case, that the brothers and sons of the parties above adverted to, *i. e.* Nurrotum, Jummadass, Lulloobhaee, and Mhousook, be caused to be liberated from the confinement in which the Moonim Goomasta would appear to have placed them; and further, that these persons and the parties returned with this yad should be permitted to have in attendance upon them a peon from the Residency, and any other person whom his Highness may think proper to name: and the Resident trusts that the guard placed by the Baba upon the elder Settannee, Maha Luxamee Baee, his Highness will cause at once to be removed, and that as the Moonim Goomasta, Baba Nafra, is charged with the commission of an atrocious murder, pending the investigation of this charge against him, that he be placed in confinement, and prevented access to the books and valuables belonging to the firm, and which should at once be sealed and placed under safe custody. The above is written for the information of the Maharaj, and the Resident is sanguine that his opinion will be coincided in by that of Maharaj for the final disposal of this case.

19.

TRANSLATE of a Yad from the Resident to his Highness the Gaekwar, dated 6th July 1850 (Jaist Vud 12th, Sumvut 1906).

JOUTABAEE SETTANNEE, the widow of Bhachur Sammuldass, having presented a petition complaining of the abduction of her son, the attendance of the under-mentioned parties are considered necessary to give their evidence in the case:

4 persons from Amleeyara, Purgunna Baroda:
1, Tullaveeya Dhulleeya.
1, - Ditto Jharia.
1, Patel Ryejee Bhachur.
1, Ditto Nurrotum Narrian.

4

1 ditto from Sowlee, named Bharrote Phurtaub.

3 ditto, inhabitants of the city of Baroda:
1, Hurjeevun Ghowlumram.
1, Havildar Dadabhaee.
1, Arab Synd Munsoor Janadar.

3

These eight individuals it is requested that the Maharaj will cause measures to be adopted for attending the Residency, to give evidence in the above case, which is being investigated.

20.

TRANSLATE of a Yad from his Highness the Gaekwar to the Resident, dated the 29th Moon of Shaban, S. S. 1251 (10 July 1850).

IN the yad from the Residency (No. 502), dated 6th instant, which has come to hand, it is stated that "Joutabaee, having preferred a complaint regarding her son, which, being under investigation, it is requested that the witnesses enumerated in the accompanying memorandum be sent for the purpose of giving their evidence in this case." With reference to the above, it is written, that, from amongst the parties enumerated in your memorandum, Havildar Dada Meya's house is locked up, and it cannot be ascertained where he has gone to; and it having been ascertained that Mehta Hurjeevun Ghowlumram had proceeded to Petland, the Wywuldar of which place has been written to, if he be there, to immediately send him here; and the remainder of the parties named in the said memorandum were, on the 14th and 30th Vud Jaist (23d and 24th July), sent to the Residency. The above is written for the information of the Resident.

21.

TRANSLATE of a Yad from the Resident; dated 12 July 1850 (Assoo Sood 3d, Sumvut 1906), No. 529.

IN the case of the abduction of the son of Joutabaee Settannee, the widow of Parruck Bhachurbhaee Sammuldass, of the firm of Hurree Bhucktee, and regarding which she had presented a petition, the evidence of Mhounlall Phurboodass, a goomasta, of the firm of Baba Nafra, had been taken at the Residency, in which, however, as many discrepancies obtain, and the writing of the original deed agreeing with specimen of his handwriting, taken on the above occasion, but which he denies as being in his handwriting, and makes many contrary statements regarding the same; it appears quite evident that this person had forged the name of Bhaunabhaee, the father of Joutabaee Settannee, upon the original deed produced; and as this is a very serious offence, he is sent with this yad to the Maharaj, and it is requested that as the crime this person is supposed to be guilty of, is of equal magnitude as that with which Baba Nafra stands charged, that he be placed in strict confinement.

22.

TRANSLATE of a Copy of a Yad, dated 16 August 1850, sent from the Resident to Durbar.

JOUTABAEE, widow of Bhachur Sammul, of the firm of Hurree Bucktee, has in the case of her son petitioned the Bombay Sirkar; the evidence of such parties acquainted with the case, the Resident has personally taken a list of, which, amounting in all to 31 original papers, are sent with this yad, from which all the information required will be elicited; therefore the Maharaj, at his convenience, should consider them, and having inquired into the case, is requested to return both original and list.

23.

TRANSLATE of Copy of Yad, dated 16 August 1850, from the Residency to the Durbar.

IN the case of Joutabaee's complaint to the Bombay Sirkar, and with reference to the Leckh, for 201 rupees, written by Bhucktee Kandass, and given to Ruggoonath, a Meetapoor Kolie, in the matter of taking away her son, the original had been given to the Resident privately by Govind Row Rhodeeya, and it is now returned to the Maharaj with this yad.

24.

TRANSLATE of a Yad from the Resident to his Highness the Gaekwar, dated 14 September 1850, No. 794.

I BEG to send for his Highness's information the deposition in original, of Bhugwan Buwannee, goomasta to Hurree Bhucktee, taken before me, as one appears to have been taken by your Highness from him on the same subject in the case of Joutabaee Settannee's son.

(True translations.)

(signed) *M. Battye,*
Assistant Resident.

Appendix (C.)

CONSIDERATIONS respecting the Will or Testamentary Deed said to have been executed by Bechur Samuldass Sett.

THE original copy of the will of the late Bechurbhaee Samuldass having been submitted for my inspection by the Durbar, it appeared to me to bear strong internal evidence of an illegal document, and of having been obtained from the late Sett, when he was in no condition to understand its real purport. I therefore, as the interests of parties entitled by guarantee to the protection of the British Government were deeply concerned in the question, deemed it my duty to institute some inquiry into the manner in which the said deed had been obtained or executed. On here transcribing a verbatim translation of the document, I would call attention to the following circumstances which led me, on first inspecting the deed, to doubt its legality.

In the first place, the usual and indispensable precaution of affixing the signature of witnesses to the execution of the will has been neglected. This form is, I believe, as strictly enjoined by Hindoo law as it is by English law; and no circumstance would warrant the dispensing with such a guarantee for authenticity of the document, excepting the extreme case of so sudden an approach of death as to prevent the possibility of witnesses being summoned in time. A formal execution of the will of the late Samul Bechur was the more requisite in consideration of the enormous wealth bequeathed, and because of the peculiar position of the party who is by that deed constituted sole trustee of that wealth, and manager of the affairs of the most influential banking establishment under the Baroda state, with the heirs of which he was in no way connected, either by ties of relationship or caste.

As the will was executed on the 4th of August, and Samul Bechur's death did not occur till the 3d September, want of time cannot be pleaded for the neglect of all legal form.

In the second place, only the last portion of the 5th para., or about one-fourth of the whole document, is supposed to be in the handwriting of the Sett, who, even if able to write so much at the dictation of, and guidance of the hand by, another (and the writing has the appearance of having been effected with difficulty), it is questionable whether he could, at the time the deed was executed, have been in a condition either to read or comprehend the preceding previously prepared portion of the document (occupying three-fourths of the whole), wherein the separate provision for Joitabaee is contained. It is indeed far more probable that either it was not read to him, or that a blank space had been left, which Baba Nafra subsequently filled in as he pleased.

Had no fraud been contemplated by Baba Nafra on the occasion of his intrusive visit to Samul Bechur, it was surely most natural and requisite that he should have retained in the room with him, if not the two wives of the banker, whom he would wish to satisfy of the uprightness of his proceedings, at any rate the confidential friend and medical adviser of the family, if only in consideration of the effect to be apprehended on the dying man, of the discussion of his worldly affairs so immediately (within five hours) after he had been seized with a most dangerous fit, and was supposed by every one present to be dying. But it is in proof, as will be seen in the depositions hereafter recorded, that Baba Nafra turned every one out of the room, even the personal attendants required to tend the invalid in his bed.

The following is a translation of the deed referred to :—

"TRANSLATE of a Document purporting to be the Will of Sett Samul Bechur, of the Firm of Hurree Bhugtee, dated Shravum Sood 1st, 1901 (4 August 1845).

1. "ONE lack of rupees to be given to the younger Settanee, which is to be laid out at interest, the interest to be left in deposit, and an account of the expenses on account of Jhatra, &c. to be kept, and the jewels, &c. to be yearly compared with the list of them, and the expenses which may be incurred should be defrayed from this lack of rupees."

2. "The sum of two lacks of rupees should remain deposited in the firm; with the surplus funds the business of the firm should be carried on."

3. "From the amount at present expended annually, steps should be taken to reduce the amount to 25,000 rupees a year."

4. "The pay of Goomashta from the commencement up to the year Sumvut 1901, from the funds of Samul Bhughtee and Hurree Bhugtee, together with sirpow received, to be credited to Baba Nafra's account."

5. "All the jewels, together with those contained in the inner rooms, &c., as also contained in both of the firms, &c., wherever they may be, should be collected and entered in a book, which should be bound for the occasion, and taken care of."

"The above particulars of these are contained in five paras.; and if Petamber Sewlall and Purmannund Sewlall be desirous of adjusting their accounts on their paying the sum of 50,000 rupees in cash, the adjustment should be permitted to take place without any investigation regarding their former transactions, and an acquittance granted them; but in the event of their so desiring it about this para.,* take, on account of this para.,* 95,000 rupees, and write and give a chit, [† and on the papers, &c. produced by the kiladars of three firms, as also those sent by the correspondents at Surat, Ahmedabad, Amreillee, and Bhownuggur, &c., the signature of Wamonrow Baba is to be considered sufficient. Dulputram, Bhyjee, Bappoojee and Damodhur, together with those of his brother's firm, should abide by the instructions of Baba Wamon Row Baba. Dated Sumvut 1901, Shrawun Sood 1st (Monday, 4 August 1845). What is above written is true."

*S. O.

(signed) "*Bechur Bhaee Samuldass.*"

The following is the evidence taken at the Residency :—

TRANSLATE of the Deposition on Oath of Moteeram Meetheeanund; Caste Oodeechs Brahmin; inhabitant of Baroda; aged about 66 years; occupation, Doctor; taken on oath at the Residency, on the 6th Magsursood, Sumvut 1907 (Wednesday, 8 January 1851).

Question. During the illness of the late Paruk Bechurbhace Samuldass, you were his medical attendant; therefore you are required to state truly how long he remained ailing, and when he died; as also whether he retained his senses unimpaired till he died, or whether, consequent upon the severity of his sickness, he lost his senses?—*Answer.* Before the death of Paruck Bechurbhaee, he had been ailing for about a twelvemonth preceding his death; he became seriously ill, and got me to prescribe for him; other doctors also used to attend upon him, but constantly he used to consult me upon his disorder; and I used constantly to call upon him, and from about 25 or 30 days before his death he caused me to stay the whole night with and sleep near him; one morning early, about three o'clock A.M., Bechurbhaee suddenly started from his sleep, and in a very agitated manner commenced exclaiming "Muwarey, muwarey; dying; I'm dying;" upon which the whole of us became alarmed, and collected near him. I was in a different place, sleeping in the house from whence I was summoned, and required to feel his pulse; which having felt, I commenced dissolving a cake of medicine calculated to revive him; during the time I was so engaged he continued very much disturbed and troubled; and after I had administered to him the reviving medicine he came a little to himself, when he was bathed, and caused to perform "poonja" to his idol, and charity was also distributed; after which, he became a little better; but afterwards he became worse and worse, and about 15 or 20 days afterwards he expired.

A deed executed by Bechurbhaee, dated Shrawun Sood 1st, Sumvut 1901 (A.D. 4 August 1845), appointing Baba Nafra to the management of the business of the firm, has been produced by Baba Nafra; therefore you are required to testify as to the state of the health and intellect of the Settjee on the day on which the said deed was executed and dated?—At night, the fit having come upon Bechurbhaee, he became agitated and disturbed, and gave away grain, &c. in charity; the fit had come upon him about three o'clock in the morning, and the same morning, about nine o'clock, Baba Nafra had a private interview with the Sett;

† From this point commences what is said to be Samul Bechur's handwriting; all previous is in the handwriting of Baba Nafra's son.

Sett; after causing every one to leave the room, he remained with the Sett alone. At this time Baba got the Sett to make out the deed, but what was contained in the deed I am ignorant of. About three o'clock the same afternoon, having learnt of the Settjee's dangerous state, the late Maharaj also paid him a visit; upon which occasion Bechurbhaee, from having taken the reviving medicine I had administered to him, became much better, and informed the said Maharaj that Purshotumbhaee being young, he had entrusted the keys to Baba Nafra, and he requested the Maharaj to advise Baba Nafra to conduct himself uprightly and with fidelity.

What was the nature of the disease from which the Settjee had been suffering for 12 months before his death, and what was the nature of that which he laboured under three months immediately preceding his death, and in what state was the Settjee for 25 days before his final dissolution?—For a twelvemonth he was labouring under slight intermitting fever; the last three months before his death he became consumptive, but used to go about; but 20 or 25 days before his death he was subject to faintings, and became quite feeble, and the servants used to carry him upon stools, &c. for his necessary purposes; after he commenced fainting he became seriously ill. There is no difference in what I have above deposed to. Post Sood 6, Sumvut 1907 (8 January 1851).

(signed) *Vyeed Motteeram,*
in his own handwriting.

Examination resumed.

Question. WHAT was the state of Bechurbhaee's health prior to the three months preceding his death, and used he to go about, and if he used to do so, by what means?—*Answer.* For three months before the Sett's death, being but slightly ill, he used to go about, and he was always fond of going about in a palkee, and never upon horseback, or in a carriage; in the same manner he used to go about to perform his "pooja, durson, &c.;" his disease was not then so very severe as to confine him to his house.

At the time of his death how old might Bhacherbhaee have been?—At the time of his death Bhacherbhaee was within 40 years; he might have been 35 or 37 years old.

Dated and signed as above.

(No. 2.)

TRANSLATION of the Deposition on Oath of Hurribhaee Bhaeechund; Caste, Koonbee Karwa; Inhabitant of Vurnuggur; aged about 40 years; Profession, Service as Khidmudgar, in the firm of Hurree Bhugtee; before the Resident, at Baroda, on Posh Sood 6, Sumvut 1907 (A.D. 8 January 1851).

Question. WHEN Sett Bhanabhaee was sick, who attended on him, and when and how was he taken ill, and at the time of his death did he retain his senses or otherwise; if not, from what time was he insensible?—*Answer.* When Sett Bhanabhaee was ill, I and Withul attended on him day and night. From this I know that three months previous to the death of the Sett he was taken bad with a windy complaint, and sometimes he used to get fever, and sometimes he used to vomit. The year I do not recollect, but it was about the end of Assar month that one night, I, Sett, and others being asleep, the Sett suddenly jumped up and began to say, "Muworey, muworey," and in this way he began to murmur. From that time he lost his senses. Medicines were administered to him; sometimes he would be in his senses and speak, at other times he would not. We used to take him on a platform to answer the call of nature. This extreme illness lasted for about 20 or 25 days.

Baba Nafra has produced a leek, or writing, signed by Bechurbhaee, authorizing him to conduct the management of the firm; state when this leek was written; was it done in your presence, or how?—When the Sett became languid that night, and insensible, Baba Nafra, the next morning, came from his house to the house of the firm, where the Sett slept, and put out all the people who were in the room with the Sett, and alone sat with the Sett, and took this writing from him, at which time I was not present, nor any one else. After Baba left the place I went to the Settjee to serve him.

The morning on which Baba took a leek from Bechurbhaee, was he in his senses, or how?—The night in which the Settjee became insensible, the next morning Baba took a leek from him, at which time the Sett was much troubled, and not in his right senses. There is no difference in this.

(signed) *Katell Hurreebhaee Bhaeechund.*

(No. 3.)

TRANSLATION of the Deposition of Withul Jetha; Caste, Koonbee Kurwa; Inhabitant of Wurnuggar; aged about 30 years; Profession, Service as Khidmudgar, in the shop of Hurree Bhugtee; before the Resident at Baroda, on Posh Sood 6, Sumvut 1907 (A.D. 8 January 1851).

Question. WHEN Sett Bechurbhaee was sick, who used to attend on him, and of what was he taken ill, and at the time of his death was he in his senses, or otherwise?—*Answer.* He was suffering from a windy complaint about three months. He used to get fever also,

and sometimes he used to vomit. I and Hurreebhaee used to attend on Bechurbhaee night and day during his illness. From this I know that about 20 or 25 days previous to the death of the Sett, one night, as we were all a sleep, Sett Bechurbhaee suddenly jumped up and said, "Muworey, muworey" (I am dying); on this we got up, and as Moteeram, doctor, was there, he was called, and felt the Sett's pulse, and after doing so, gave him some medicine to drink, but as he became languid from that time he became insensible. For 20 or 25 days he used to be at times in his senses, and other times not; nor could he speak coherently, and we used to take him on a platform to answer the call of nature; from that time his illness increased, and he became insensible.

Baba Nafra has produced a leek or writing, signed by the Settjee, authorizing him to conduct the management of the shop; was this leek made in your presence, and was Sett Bechurbhaee then in his senses, or how?—The morning after the night in which he became languid and insensible, Baba came from his house to the house of the firm, where the Sett was sleeping, and turned out all those who were in the Sett's room, and got some leek made out; but we were not allowed to remain there, nor was any one permitted to go near the Sett at that time. When the leek was made, the Sett for six ghurry (2½ hours) before it, was insensible. After Baba left we attended the Sett, who was not then in his senses. Through the effects of medicine he would at times become sensible.

How do you know that Baba at that time took a leek?—After Baba left the Sett the people in the house began to say that Baba obtained a leek from the Sett.

(signed) *Patell Withul Jehta,*
by Hurree Bhugtee.

(No. 4.)

TRANSLATE of Yadee from Settanee Mahaluxmeebaee the elder Widow of Bechurbhaee Samuldass, dated Post Sood 7th, Sumvut 1907 (A. D. 9 January 1851).

Question. How long before the death of your husband Bechurbhaee was he ailing; and Baba Nafra, having produced a deed constituting him manager of the whole of the Sett's affairs, you are required to declare the state of your husband's health when the deed in question was executed by him, and at the execution of this deed, whether yourself or any other parties were present, and whether the Sett had ever said anything to you about the above deed?—*Answer.* For sometime before the Settjee was labouring from flatulent affections and slight intermitting fever, and early the next* morning of Assud Vud 30th, Sumvut 1901 (A. D. 3 August 1845) suddenly the Sett started from his sleep and fainted; this day Moteeram Kyeed was staying at our house; he came, and having felt the Settjee's pulse, administered some reviving medicine to him, after which the Settjee was bathed, and charity distributed, and on that same morning early, about four o'clock, Baba also came from his house to the Settjee, and where the Settjee used to sleep, he remained alone with the Settjee for about 6 or 7 ghurries, having previously turned everybody out and bolted the door. At this time I subsequently learnt that the deed was executed; but at that time there was nobody present; neither was I present, nor did anybody tell me about it; and from the day he was attacked as above he became worse and worse, occasionally, however, reviving for a short time; but from this time he evidently became worse.

* S. O.

At the time of executing the above deed in favour of Baba, you say you were not present, and that the Sett had not informed you about it; then when and how did you become aware of such a deed having been prepared and executed in favour of Baba?—Baba had come to the Sett early in the morning, about four o'clock, and remained alone with him. Myself and the goomashtas, consequent upon the fainting-fit the Sett had, and the troubled and agitated manner in which he was, were sorrowful, and Baba was with the Sett alone; and after the Baba had left, and returned to his house, the execution of the said deed was indistinctly mentioned to me, but nothing positive was said about it to me, and neither did the Settjee say anything to me regarding the existence of such a deed. After the death of the Settjee, however, Baba informed me that the Settjee had executed and given to him a deed, but he did neither show me the deed nor impart to me the contents thereof, and this same deed I have not, to the present moment, even yet seen.

You state that you have never seen the deed; but before the Settjee's death, regarding the management of his affairs, did the Settjee impart to you, being the mother of his son, and to the younger Settanee, any instructions?—After the Settjee had had the fit, when he had revived, Baba, Killedar Bappoojee, Bhyjee Moomin, Dulput, and Damodhur he caused to be assembled, and he said to them, "Purshotum Bhace being young, the whole of you conjointly should conduct my affairs, and proceed in such a manner as to secure success and profit, and for the due and faithful discharge of this trust, you should all swear;" and having said so, he caused the whole of them to swear by "Shree Dwarkanathjee." The above I am aware of, and in the presence of every one the Settjee thus made over charge of his affairs to them, and at the same time, the above five persons being present, he made over his keys to the charge of Baba, and enjoined the whole of them to work unitedly and conjointly together, regarding his affairs.

(signed) *Baee Mahaluxmee,*
in the handwriting of Vajoobhaee Vanchidass.

From the evidence above detailed it appears,

1st. That Baba Nafra intruded on the late Samul Bechur, early on the morning of the 4th day of August 1845, shortly after the Sett had been seized with a most alarming attack, which may reasonably be supposed to have incapacitated him for mental exertion. And this view is most strongly supported by the far more searching inquiry into the subject by the Medical Committee, recorded in Appendix (L).

2d. That Baba Nafra, so far from retaining in the room or calling in witnesses to the execution of the will, turned everybody out of the apartment, even the dying man's medical and personal attendants, whose presence was most necessary at such a juncture, and that he remained closetted with the Sett, in private, for a considerable time, during which the deed was said to have been executed.

Under the circumstances of there being several persons present in the adjoining room, during the whole time of Baba Nafra's interview with the Sett, the fact of his not summoning any one to witness the signature of the deed, not even the family medical attendant, whose presence throughout the whole interview would have been sought by any friend of the dying Sett, about to discuss with him matters of an agitating nature so immediately after a dangerous fit, had such friend had only honourable objects in view, has a most suspicious appearance:—but assuming that none of the parties thus immediately available were such as either Baba Nafra or the Sett wished to be cognizant of the transaction, even to the extent merely of witnessing the banker's signature, surely, as Samul Bechur lived for 30 days afterwards, during which interval he was visited by intimate and respectable friends, Baba Nafra would have taken an opportunity to obtain the dying man's acknowledgment of the said will before one or other of such friends, if the document really did express the Sett's wishes and intentions. The neglect on the part of Baba Nafra to do this affords very strong ground for supposing that the will contains what he was conscious Samul Bechur would not have confirmed, had its real nature been communicated to him in the presence of a third party.

Baroda Residency,
31 March 1851.

(signed) *J. Outram,*
Resident.

Appendix (D.)

YADS addressed by Joiteebaee Setanee to the Durbar in January 1849.

1.

TRANSLATION of a Yad from Joiteebaee Settanee, the Widow of the late Bechur Samuldass, and Heiress to the Wealth of the firm of Hurry Bhugtee, to his Highness the Guicowar, dated Posh Sood 8th, Sumvut 1905 (2 January 1849).

THE Acting Resident at Baroda, Captain P. T. French, having sent for me, I sent my khamdar and father Bhanabhoye in my stead, to wait upon that gentleman, and upon their being admitted to that gentleman's presence, he having explained to them the orders received from the Bombay Government, called upon me to name the members of the punchayet I chose to appoint on my part for the trial of my case. In the mean time your Highness's jassood had come to call Bhanabhoye to attend the presence, and thereupon he duly attended, when the yad received from the resident, enclosing the order in my case from the Council, were both read and explained to him, and an order was given that the names of the members of the punchayet chosen by me should be given. Upon which Bhanabhoye submitted, that though called upon to furnish such names, he had not been empowered to adopt any measures in the matter, and he further urged his ignorance in giving proper replies in this matter, but that Colonel James Outram had sanctioned the appointment of a competent person to manage my case, and that the said gentleman had also notified the appointment of such a person to the Mahraj, and that if the necessary orders were communicated to me I would send my kamdar to attend on my behalf. My father further added that if the Mahraj would favour him with copies of the yad from the Resident, and of the orders from the Bombay Government, which had been read and explained to him, that he would submit them for my information. This request he made, but failed in obtaining the necessary copies. The above, Bhanabhoye communicated to me. Subsequently I submitted a petition to the Resident, upon which the Resident directed that I should attend and give the names of the members of the punchayet to the Mahraj; and further, yesterday a jassood also came from the Mahraj to call me. Therefore I have only to solicit the Mahraj will be pleased to furnish me with copies of the orders of the Bombay Government in this matter, and of the yad from the Resident, and of the draft of the "punchayet namah," and the names of the members chosen by my opponents, so that I may be enabled to give the subject due consideration, and then furnish the names of the members to be chosen by me, as well as make such suggestions in the draft of the "punchayet namah" upon its being furnished me, as may occur to me, and then send my kamdar as the Resident may be pleased to direct, to make such representations in my behalf as may be considered necessary to do. For the above reasons it is necessary that an early reply be given to this yad.

(signed) (In Goozeratee character.)

2.

TRANSLATE of a Yad from the Widow of the late Bechurbhoye Samuldass, Joiteebaee Settanee, and Heiress to the Wealth of the firm of Hurry Bhugtee, to his Highness the Guikwar, dated Posh Vud 13th, Sumvut 1905 (A.D. 22 January 1849).

IN accordance with the instructions received by me from the Acting Resident of Baroda, Captain French, that I should cause my father and others to wait upon your Highness; upon which, considering it necessary, I have duly kept that gentleman informed of the result of such interviews, considering it necessary to respect the mandates of the Company Sirkar, on Posh Sood 8th, Sumvut 1905 (2 January 1849), I sent a yad to the Guikwar Sirkar; which yad, however, the Sirkar refused to receive, and consequently it was brought back to me, the particulars of which I reported for the information of the Resident. Subsequently, in accordance with the instructions adverted to above, the party directed her father personally attended with the yad, and delivered it to his Highness; but this yad, after perusal, and being taken into consideration, was returned. The particulars which transpired upon this occasion also I duly informed the Resident of. And since I have been guilty of no fault, yet as I am constantly made to appear so by misrepresentations, I find myself hopeless; because from the day on which Nafra and his colleagues commenced oppressing myself and people up to the present day, I from time to time have been keeping both the Sirkars informed of the particulars of the oppressions with which I had been burthened; but no arrangement having been made to remedy the evils complained of, Trimbuck Shastree Munhore addressed to me a yad containing matter quite foreign to the subject-matter of my complaint; in which, without making any mention of my father having attended with the yad to the Sirkar, he mentioned, as above stated, matters of quite a different description. Well, to what extent should I write? I am hopeless, because up to the present time no person suing for justice has ever been treated as I am; and should such a course be persisted in with reference to the dispensing of justice, the Almighty alone knows what will become of the poor; for the Sirkar is the parent of the ryots, both in this and the next world, therefore it is necessary that as a parent protects the interests of his children, so, in like manner our Raja should protect the interests of his ryots. Because the ryots are the Sirkar's children, he should look after the interest of his karbarees, both those who are at a distance from him and those near him, without partiality or favour. At the present time I am involved in the deepest difficulties imaginable, regarding which how have I not been complaining? I nominated a kamdar and karbaree on my part to manage my every business and to give answers in my case, he being an honest, good, respectable, and honourable person, and I sent him with a yad to the Resident, whereupon the said gentleman sanctioned the entertainment of this individual, and sent him to his Highness with a yad, directing that he be recognized as the agent on my part, and from which date he used to be in constant attendance upon the said Guikwar Sircar's court, but on no one occasion was anything done agreeably to his representations. For this there would appear to be no remedy; for which reason, from the commencement, the particulars of the case have been from time to time made known, and at the present time I send this yad to your Highness, according to which, when it is taken into consideration, and an order granted, then I shall direct my kamdar to wait upon your Highness, and when he is furnished with copies of the proceedings adverted to in the above yad, and after he has become informed of the purport of the orders from the Resident and the Bombay Government connected with the matter, without putting either of the Sirkars to unnecessary trouble, he, according as he may be directed by both the Sirkars, will attend for the purposes of conducting my case, giving answers and writing yads, &c. in my behalf. Therefore it is solicited that the Sirkar will have the kindness to take the contents of the yad above adverted to into consideration, and order the preliminary measures which have been intimated to the Resident to be carried out. In the yad of Trimbuck Shastree it is stated that he had been ordered by the Sirkar to call on me to specify the parties I am desirous of naming as the members of the punchayet on my part. But copy of the Sirkar's yad has not been furnished me; had it been furnished, after taking its contents into consideration, an immediate answer would have been submitted thereto. And as I have hitherto from time to time kept the Sircar informed of the particulars of my case, in the same manner I would have lost no time in submitting a reply to the yad in question, so that an explanation might have taken place. Thus the investigation of my case, through my kamdar, being conducted in a proper manner, there would not have existed any occasion of reporting any obstacles or other omissions therein to the English Sirkar. The Mahraj should be pleased to take into consideration that the investigation of any business whatever cannot be said to progress in a proper way unless a person on the part of the complainant be present, upon whom the said complainant places unlimited confidence, for the purpose of explaining the nature of the case under investigation; for unless such a person be present, and the representations he might feel called upon to make be attended to and taken into consideration, how could justice be awarded in such a case? Unless steps be for the future taken, and arrangements made in accordance with the suggestions contained above, how are poor and unfriended, and unsupported parties to obtain redress for the wrongs they may be suffering under? This being taken into consideration, and having his view directed towards the Almighty in a proper manner, it is necessary that the Mahraj should give this subject his best consideration. Up to the present time I have been sadly oppressed, imprisoned, and otherwise ill-used, the particulars of which

which I have on various occasions brought to the knowledge of the Sahib, and in accordance with which (representations), if arrangements be made to afford me redress, innumerable blessings will be showered down upon the Mahraj. As the Sirkar is my parent, it is necessary that he give me assurance of meeting with redress; and for this end the whole of the circumstances of my case should be taken into consideration, and arrangements made. At present the Sirkar's seepahees and jassoos, and the seepahees of Nafra, are placed as guards upon me; consequently, steps should be taken for their removal. Nafra and his colleagues have exposed myself and my people to much and severe oppression, and they are squandering away the wealth of the firm. Because I have complained about the above they have placed me in imprisonment. For granting me redress for the above-stated wrongs, the Mahraj is omnipotent.

(signed) (In Goozeratee character.)

ENDORSEMENT.

IN a yad dated Posh Vud 9th, Sumvut 1905 (A.D. 17 January 1849), you had been advised to consent to the adjudication of your case by punchayet, in accordance with which you should send your father, Bhanabhoye, to the Sirkar, to name the members of the punchayet who you may be desirous of choosing in your behalf.

Dated 13th Poush Vud, Sumvut 1905 (22 January 1849).

3.

TRANSLATE of a Yad from Joiteebaee Settanee, the Widow of the late Bechurbhoye Samuldass, and Heiress to the Wealth of the Firm of Hurry Bhugtee, to his Highness the Guikwar, dated Poush Vud 14th, Sumvut 1905 (A.D. 23 January 1849).

I BEG to submit for the information of the Sirkar, that I had on Poush Vud 13, Sumvut 1905 (22 January 1849) sent a yad, enclosing my former yad of Poush Sood 8, Sumvut 1905 (2 January 1849) by my karkoon to the Mahraj, which although perused by the sirkar, the arrangements therein suggested have not been as yet made, and the above two yads, together with one bearing the signature of Trimbuck Shastree Munhore; in all these three yads, about midnight were brought back to me by a jassoos belonging to the Mahraj sirkar. I being at the time asleep, they were made over to my father, who had been disturbed from his rest, and the jhasoos after so delivering these yads went away. The next morning my father made the yads over to me, and upon perusing the endorsements made on my petitions, they were found to be of the same substance as that of the yad of Trimbuck Shastree Munhore, and although the writer's name had not been specified under those endorsements they would appear to have been written in the same handwriting as that in which the Shastree's yad is written, but the Shastree's yad does not contain any answer to the contents of my two yads; whereas, according to the orders in the matter from the Council and the Resident, in order that my cause might not be injuriously affected, and that no obstacle might be offered to the continuation of the "vywut" I had been induced to notice various particulars, but no answer to these whatever are given in the Shastree's yad, and whether my yads had reached or not, and whether the making of any arrangements in accordance with such yads are contemplated, or otherwise, it was necessary the fact should have been noticed in the endorsements made upon the yads returned to me, but this course had not been adopted, and without noticing the contents of the yads despatched by me, extraneous matter are harped upon in the Shastree's yad; the reason for this evidently is, to show (make it appear) that I do not attend at the Sirkar, and that owing to my non-attendance, injunctions are from time to time issued to me from the sirkar, which I also treat with disrespect, thus to make it appear that I am self-willed, and treat the mandates of my sovereign with contempt and disdain, and the wording of the above (mentioned) Shastree's yad is such as would convey such unfavourable impression against me. My mother was induced to return from Bombay to Baroda, and I, on my part, in obedience to the orders of Colonel James Outram, engaged a kamdar karbaree, sent a yad (by such karbaree); and from that time up to the present day, I and my mother have on various occasions brought to the notice of the authorities the detailed particulars of my case, but according to which on no one occasion has the investigation of my case been gone into in the presence of my kamdar, nor have the proceedings formerly taken in the case been read over to him or any arrangements been entered into as solicited in such representations up to the present day. My enemies have every indulgence allowed them, whereas on my part, the attendance of my father alone in the impending case before the sirkar and durbar is directed; therefore, I am at a loss to understand why this should be, because he can hardly make himself understood to even a child, and such being the state of his intellects, how could he be supposed to be equal to the task of representing and conducting my case before the Sirkar's court? Colonel Outram being satisfied upon this point, directed the entertainment of a kamdar to conduct the impending case upon my part, and the above I have from time to time brought to notice, but no attention has been paid to it, nor have any arrangements been made upon this subject, yet I am called upon to name the Shastrees and members of the punch to be appointed on my part; this appears very extraordinary, therefore, the Mahraj should kindly be pleased to favour me

with the copies of the various orders of the Bombay Government in this matter, and of the letter written by the Resident to the Mahraj upon the receipt of the last orders of the Bombay Government, and as I am very anxious to act in accordance with the mandate of the Council, I am further induced to solicit that, as well as copies of orders of Government and the letter written by the Resident to the Mahraj both of which had been read and explained to my father at the durbar; the draft of the "Rajeenamah" to be granted to the punch, and the names of the members chosen by my opponents should be furnished me, because it is necessary that both parties to this action should be made acquainted with the members of the punchayet, chosen on either side, for this rule is in force everywhere, moreover if I were (previously) to name the members of the punch to be appointed upon my part the very parties might have been chosen by my opponents, but by being furnished with the above information this would be avoided, and I would be enabled to name such parties as may not have been named by my opponents, in whom I might have every confidence, because upon the parties so appointed by me, I should have to depend for the fate of my case, therefore all these points should be taken into consideration before such members are appointed, and named. In this city there are parties in whom as members of the punch in my case I have no confidence, therefore it will be necessary (as was done in the case of Khooshalchund's heir, and that of the late Gungadhur Shastrees, by the Company Sirkar's orders, and with the concurrence of both the litigant parties) that a punch be convened of parties belonging to other places, and it is necessary that my approval of such punchayet should be ascertained, therefore the Mahraj should be pleased to take into his consideration the contents of my yesterday's yad, and the respectability of my family, and protect the interests of my case, and grant me the copies and draft solicited. Upon which, after taking the subject, as above stated, into consideration, I shall furnish the names of the members of the punchayet, as has been directed, after which it is left to the pleasure of the Sirkar, but if any difficulties offer themselves against the grant of the request thus solicited by me, then as my mother had proceeded to Bombay, and complained to the Bombay Government on my part, upon which the present inquiries have been instituted in this case, it is respectfully solicited that this yad be forwarded to the Resident for transmission to the Bombay Government; and that, whatever orders the said government may be pleased to grant thereupon, such may be respected. And upon becoming informed of the Resident's reply to the letter, the Mahraj may be pleased to send in this matter, I shall be enable to make such representations to the Council as I may consider necessary to submit, but at the present time, I being an unprotected female, therefore, the Mahraj should pity my case, and having respect to the friendship existing with the Company's Sirkar, grant the copies, &c., solicited by me, and make the arrangements suggested in my representations, and then the kamdar on my part will be instructed to attend upon the Mahraj and carry out the above measures. To write fully to one's parent is proper, and, as in the case of a child becoming bad, the parent having regard to his own character becomes blind to his child's imperfections, and tries to better such child's condition. My kamdar will attend upon the Mahraj, and make him acquainted with all the particulars of my case, and will communicate to me such orders as the Mahraj may feel disposed to make in this matter, and after taking such into consideration, it will be determied whether the case should be disposed of by punchayet or amicably settled, as the Mahraj has explained to my father the orders of the Council and the Resident's yad upon the subject. Even to have the case disposed of as above, the services of a wise and experienced person is necessary; therefore when my kamdar is sent to the presence, and the "wywut" with him as regards the management of this case is commenced, then the business will progress, but unless such measures be sanctioned it cannot be proceeded with, for it must be apparent to the Mahraj or any impartial person, that unless the subject is fully understood on both sides, it cannot be brought to a proper conclusion. Therefore, if the above adverted to measures be not sanctioned, this case cannot be brought to a conclusion; therefore, it is necessary that the Mahraj should be pleased to cause to be furnished to me the copies and draft above solicited by me.

(True translation.)

(signed) *M. Battye,*
Assistant Resident.

Appendix (E.)

CORRESPONDENCE with Government subsequent to 29 July 1850.

PETITION from Settanee Mahaluximeebaee the Daughter-in-Law to Hurry Bhugtee, Inhabitant of Baroda.

To the Right Honourable the Governor in Council.

Most respectfully showeth,

THAT your petitioner most humbly begs to represent, that her firm being under the protection of Government for a long period, the business of her commercial speculations was regularly carried on, and therefore she has been hitherto spending her days in peace and comfort; but Lulloo Warda, the agent of the firm, who owed a certain sum of money to your petitioner,

tioner, and who, being a man of bad conduct, was sent before his Highness the Guicowar by your petitioner, whereupon he was examined in the court of his Highness, found guilty, and committed to prison. Intermediately, Baba Furkey was strongly recommended to Government by the Resident of Baroda, and of this special favour he (Baba Furkey) took the advantage and demanded 10,000 rupees from your petitioner's agent, promising him to render every assistance as soon as Government would sanction the application of the Resident; but with all his influence and presumption, Baba Furkey is a person of a very disgraceful character, and his proceedings are generally very fraudulent. He endeavours to persuade the citizens by his artful way of misleading others, and accumulates round sums in shape of a bribe; considering all the above-mentioned circumstances, your petitioner's agent did not believe his assertions, which created hatred in his mind, and he therefore openly sent a message to her agent, intimating that he would soon take such measures that might ruin your petitioner's family.

Your petitioner most humbly craves the liberty of communicating, that an unlimited influence of the above cheat (Baba Furkey), has been the sole cause of the total destruction of her interests, because the Resident having summoned her agent from the custody, sequestrated his household property, together with his banks. In addition to this, the Resident caused to be brought before himself the account books, with several agents of your petitioner. Hence, she has been labouring under an intolerable oppression and tyranny through the said self-conceited * adviser.

Under these circumstances, your petitioner hopes that your Lordship in Council, after taking into a mature consideration the above statements, will kindly take such early steps as to relieve her from the most disagreeable calamity in which she has been unreasonably involved, and a grant of this boon will exceedingly oblige your petitioner.

Your petitioner, as in duty bound, will ever pray, &c.

* *S. O.*

Baroda, dated 13 July 1850.

No. 3,475 of 1850.—Political Department.

Document to whom sent.	For what purpose.
Resident at Baroda.	For Report.

By order of the Right honourable the Governor in Council.

(signed) *A. Malet*, Chief Secretary to Government.

Bombay Castle, 22 July 1850.

Received in an envelope, bearing the Poonah post mark, 20 July 1850, A.M.

No. 176.

REPORT.

THE proceedings against mooneem Baba Nafra, of the firm of Huree Bhugtee, referred to in this petition, will be reported in due course. All that is now necessary to notice in this petition, is the allusion to Baba Furkey, as having been the instigation of those proceedings, and other insinuations against that individual.

As to the proceedings against Baba Nafra, they have arisen out of circumstances in which Baba Fudkey has no concern. The latter person has not once been admitted to the residency, nor have I had any personal communication with him since my return to Baroda.

I have no occasion to notice the asserted communications between Baba Furkey and the petitioner's agent. The animus which prompts these insinuations against Baba Fudkey, may, however, be traced to the inimical proceedings of Baba Nafra against him, exposed in my late report, regarding Baba Fudkey, dated 22d ultimo, No. 131.

Baroda Residency, 29 July 1850. (signed) *J. Outram*, Resident.

No. 3,530 of 1850.—Political Department.

From *A. Malet*, Esquire, Chief Secretary to Government of Bombay, to Lieutenant-Colonel *J. Outram*, C.B., Resident at Baroda.

Sir,

I AM directed by the Right Honourable the Governor in Council, to transmit for your immediate attention, translation of a memorandum from Maha Luxmee Shettanee, widow of Bachurbhaee Samuldass, dated the 4th ultimo.

I have, &c.
(signed) *A. Malet*, Chief Secretary to Government.

Bombay Castle, 24 July 1850.

Persian Department.—Bombay Castle, 15 July 1850.

SUBSTANCE of a Memorandum from Maha Luxamee Settanee, Widow of the late Bachurbhaee Samuldass, and her son Pershotum Bhaee, heir of the firm of Huree Bhugtee, to the Right Honourable the Governor in Council, dated Jest Vud 10th (4 June).

COLONEL OUTRAM having imbibed unfriendly feelings towards us on account of the affairs of Govindrow Futteh Sing, we are at present subjected to great oppression, our goomastas and other servants having joined with Guicowar Sirkar attempted to ruin our firm and household in every respect; on our coming to know of it, we represented to the Guicowar Sirkar that it was not proper for it to alienate our goomastas and other servants, and thereby raise disputes in our house. That we were under the guarantee of the British Government, and would have ultimately to report the circumstance to the Sahib, whereupon the Guicowar Sirkar took the depositions of those parties, and having established their guilt, imprisoned them. In the meantime Colonel Outram returned here; although this officer was unfriendly towards us, yet we sent him a message that we were desirous of waiting upon him. He sent us a plain negative, that he would not receive us; we, consequently, became helpless. Lately, the Colonel and Bhawoo Tambaykur joined together, set at large those parties who had created differences in our house, and who were in consequence imprisoned by the Guicowar Sirkar, and instructed them to make out a false case to the effect that they were acquainted with the affairs of Joiteebaee; all at once a party of Shebundees was despatched to our house by the Guicowar Sirkar, and the Sahib, and our maktiar mooneem was forcibly seized and carried away from our cutcherry. This mooneem has been in our service from the time of the Shetjee, and is an old and respectable servant, entrusted by the Shetjee with the control and management of the affairs of the firm, and possesses a paper of mooktiar, in the handwriting of the Shetjee himself, according to which, business has been regularly carried on. In consequence of his experience and endeavours to promote the prosperity of the firm, he has incurred enmity. His house has been attacked, and is watched over by a party of 50 shebundees; our firm has been likewise locked up and attached. The Resident intends to take by the hand these persons whom we got imprisoned as aforesaid, to cause them to fabricate matters and establish, by means of his authority, that the lawful son of Joiteebaee Sheetanee was unjustly declared to be spurious; on this point we replied to every just question hitherto put to us, and will answer any such as may hereafter be asked of us, but we have no remedy against oppression; we shall submit in a few days for the information of your Lordship in Council, copies of depositions regarding the intrigues of the goomastas and others. In short, we are subjected to unnecessary oppression, and have become helpless; we are sahookars, our transactions involve lacs of rupees; we have outstanding debts of lacs of rupees; our debtors, with a view to evade payment of our dues, and others who do not receive any presents from us, misrepresent matters as they like. To have made at once an attempt against our character without a due examination, was an act of extreme oppression; our firm has been regularly carried on for nearly seventy-five years. From the foregoing act of oppression, it will go to ruin in a few days; and great blame will attach to the Honourable Company in consequence. If, therefore, government adopt immediate steps to prevent unjust oppression being exercised towards us through enmity, our firm may stand for some time, otherwise we cannot define what may become of it; we are prepared to present ourselves at Bombay, and to adduce personally before Government witnesses, documentary proofs, books, and whatever other evidence may be required in refutation of any charge* we may be suspected of; but it is not proper to disgrace us, and ruin all at once a firm of long-standing. If Government allow this in the face of their own guarantee to us, it is our misfortune. We beg your Lordship in Council will be pleased to issue positive instructions to the Resident to prevent forthwith the oppression complained of, and afford us assurances of protection.

(signed) *A. Malet*, Chief Secretary.

(True copy.)

(signed) A. Malet, Chief Secretary.

No. 180.—Political Department.

From Lieutenant-Colonel *J. Outram*, Resident at Baroda, to *A. Malet*, Esq. Chief Secretary to Government, Bombay.

Sir,

1. I HAVE the honour to acknowledge the receipt this day of your letter dated 24th instant, No. 3,536, transmitting for my immediate attention, translation of a memorandum, purporting to be from Maha Luxmi Shetanee, widow of Bachurbhaee Samuldass.

2. In reply, I beg leave to observe, that the statements in that memorandum are so entirely opposed to facts, and also to the representations contained in a petition from the Shetanee, presented to his Highness on the 18th instant, only 14 days subsequent to the date of the memorandum (erroneously) dated 4th June instead of 4th July, copy and translation of which is annexed, that I have every reason to suspect that her name has been unauthorizedly used, and that Baba Nafra himself is the author of the document. I beg, therefore, you will do me the favour to send the original memorandum, that I may ascertain the fact.

3. With reference to the petition to his Highness now forwarded, I take this opportunity to make known to the Right honourable the Governor in Council, that Shetanee wished to petition me to the same effect; but I replied, that I would have nothing to do with any arrangements they might choose to enter into for the future management of the firm, as I had little doubt the Bhandree of the British Government, which it had heretofore enjoyed, would now be withdrawn, in accordance with the intimation lately made to the holders of our guarantee, that any misconduct on their part would cause the forfeiture of the Bhandry.

I have, &c.

Baroda Residency, 31 July 1850. (signed) *J. Outram*, Resident.

TRANSLATE of a Copy of a Yad from Purshotum Bhaee Bechurbhaee, Heir of the Firm of Hurree Bhugtee, to the Address of his Highness the Guicowar, dated Assad Sood 9th, 1906 (17 July 1850).

IT has come to my notice that Baba Nafra, the principal manager of our firm, has been in the habit of giving money to certain people, and has been squandering our capital; it was our intention to bring this subject to the notice of the durbar; in the meantime, the books of our firm were sent by the durbar to the residency, and from the inquiry which has there been instituted, it appears that there are several items in the chopras which are not properly accounted for, this having been satisfactorily proved and brought to my knowledge, I beg to inform your Highness that the keeping of such a man as Baba Nafra in our employ would be highly detrimental to our firm, I have, therefore, discharged him, and now request that your Highness will have the goodness to arrange for the carrying on of the business of the firm, that our character may not suffer. Knowing that your Highness's durbar are our only protectors, I have been induced to make this request. On the death of my father, Bachurbhaee, he made over my mother, and the firm to the protection of the durbar, and I, therefore, request that assistance may be now afforded to us.

(signed) *Purshotumbhaee Bachurbhaee*, name of, by writer*, Wuzzubhaee, at the request of Shetanee Baee Luxmee Baee.

* *S. O.*

No. 3,838 of 1850.—Political Department.

From the Chief Secretary to Government, Bombay, to Lieutenant-Colonel *J. Outram*, C.B., Resident at Baroda.

Sir,

I AM directed by the Right honourable the Governor in Council, to acknowledge the receipt of your letter, No. 180, dated the 31st ultimo, and to transmit the original memorandum therein referred to, with a request that you will return it with your report on the subject.

I have, &c.

Bombay Castle, 17 August 1850. (signed) *A. Malet*, Chief Secretary.

No. 3,867 of 1850.—Political Department.

From *A. Malet*, Esq. Chief Secretary to Government, Bombay, to Lieutenant-Colonel *J. Outram*, C.B., Resident at Baroda.

Sir,

WITH reference to your Report, No. 176, dated the 29th ultimo, on the petition from Shettanee Mahaluxmeebaee, dated the 15th idem, I am directed by the Right honourable the Governor in Council to inform you, that the petitioner has been referred to you for a reply.

I have, &c.

Bombay Castle, 17 August 1850. (signed) *A. Malet*, Chief Secretary.

No. 208.—Political Department.

From Lieutenant-Colonel *J. Outram*, C.B., Resident at Baroda, to *A. Malet*, Esq., Chief Secretary to Government, Bombay.

Sir,

I HAVE the honour to transmit for such consideration as the Right honourable the Governor in Council may deem it deserving of, a petition in original (with translation), from Maha Luximeebaee, widow of the Bachurbaee, complaining that Baba Nafra has unauthorizedly been making petitions in her name, and requesting that no such petitions may be considered as coming from her.

Not having received any intimation from Government of the receipt of the second petition referred to by the Setanee, to which she appears to have obtained a reply, dated 22 July, I beg that I may be furnished with the document in original, for the purpose of tracing the treachery which the Setanee represents to have been practised towards her.

On sending for the petition book, for the purpose of ascertaining whether any such intimation had been received regarding the second petition, I then observed that I had inadvertantly overlooked the call made at the conclusion of your letter, No, 3,838, of the 17th ultimo, for my report on the first petition therein forwarded. Having myself written to you for that petition, and being much occupied at the time, I received your reply enclosing it, which from its brevity, appeared to be a mere transmitting letter, I regret to have to confess that, taking this for granted, I sent it at once to the office without attentive perusal, for which negligence I beg to apologise.

I have now requested his Highness to cause the parties concerned to be examined, and on receipt of the depositions I shall do myself the honour to submit the required report.

I have, &c.
(signed) *J. Outram*, Resident.

Baroda Residency,
7 September 1850.

TRANSLATION of a Letter from Mahaluxmeebaee, Widow of the late Beechurbaee Samuldas, of the Firm of Hurree Bugtee, to the Resident at Baroda, dated Shra Wun Vud 13th, Sumvut 1906 (A.D. 4 September 1850).

MY discharged goomasta, Baba Nafra, with fraudulent motives, and without explaining the purport of it, brought me a petition, addressed to the Bombay Government, dated 12 July 1850, and said that it was to obtain an order from Government to have him released from confinement, and desired me to sign it, which I did, and a reply was received from Government, 17 August 1850, from which Nafra's deceit became known to me, of which I informed the Resident by my goomastas. On the 13th July another petition was made by Nafra, and a reply received, dated 22 July 1850, by which I am astonished to find that as I made no petition, the Government has sent a reply; how is this? I beg to state, that in future, should Baba Nafra send any false petition to Government, or to the Resident, on any case whatever, the same should not be admitted, and that the Resident will be pleased to communicate the above matter to the Bombay Government.

(signed) *Mahaluxmibaee*, by Peetamber Sewlall.

No. 209.—Political Department.

From Lieutenant-Colonel *J. Outram*, C.B., Resident at Baroda, to *A. Malet*, Esq., Chief Secretary to Government, Bombay.

Sir,

WITH reference to my letter, dated 7th instant, No. 208, relating to the petitions in the name of Mahaluximee Baee, widow of the late Beechurbaee Samuldass, I have the honour to transmit translations of depositions by that lady and her father; also of Baba Nafra, and a relation of his, from the former of which, it appears that a petition was prepared by Baba Nafra, or written under his dictation, which Luximeebaee and her father state that they were induced to sign, under misrepresentations as to its purport, the petition not having been read to them; but from the statement of the father, it would appear that the petition forwarded by you (herewith returned) is not the paper they signed. The depositions of the other parties interested in effecting the impositions on the Settanee are contradictory to the above.

I have, &c.
(signed) *J. Outram*, Resident.

Baroda Residency,
10 September 1850.

TRANSLATION of the Deposition of Settanee Mahaluximeebaee, Widow of the late Beechurbaee Samuldass, dated Shrawun Vud 14th, Sumvut 1906 (A.D. 5 September 1850), taken before the Durbar.

Question. A MARATHA petition, in your name, and written on a fine post paper, dated Jest Vud 10th, Sumvut 1906 (11 July 1850), is here read to you; was this petition made by you, if so, how was it done?—*Answer.* The petition having been read and shown to me, I have to state, that when Baba was first confined, and the Resident sent for the chopras of my shop, Baba Nafra's son Appa brought to me a petition and said that as Baba, his father, was confined, to sign the petition quickly, as it is one of emergency. On this I got my father Wuggoobhaee to sign it, but whether this is the same petition or another, I do not know; neither was its contents explained or the petition read to me, but in an ambiguous way he got the petition signed.

At the bottom of the petition it is signed in your name, and said to be your mark, and that of your son Purshotum, and written by your father Wuggoobhaee Wancherdass; state whether the mark was made by you, and whether the signature is the same as that written by Wuggoobhaee?—After Baba was confined, his son Appa remained in my house for two or three days, and only once, as above stated, my signature was obtained in an ambiguous way, but whether this is the same petition or another I do not know, nor were the contents explained to me; and whether it is the same or another, how do I know?

Do you know whether the petition was written on a fine or country paper?—As the signature was taken in a hurry, I do not recollect what kind of paper it was.

(signed) *Settanee Mahaluximee*, Goomasta Echaram,
By desire of the Settanee.

TRANSLATION of the Deposition of Wuggoobhee Wuncheedass, Inhabitant of Baroda; aged 45; Caste, Banian; dated Shrawun Vud 14th, Sumvut 1906 (5 September 1850), taken before the Durbar.

Question. A PETITION, dated Jest Vud 10th, Sumvut 1906 (11 July 1850), and written on a fine post paper, in the name of Mahaluxmee Settanee (your daughter) and Purshotumbhaee, is here shown to you, state whether the signature of your daughter, and that of her son, in this petition, was written by you, or how?—*Answer.* The Sirkar having shown me the petition bearing the signature of my daughter Mahaluxmeebaee and Purshotumbhaee, I have to state, that the signatures resemble my handwriting, but I never signed such a paper, nor did I write or sign on such a fine paper. I once signed Mahaluximee's name on a country paper.

What was the subject of the paper you had signed, and what was written in it, and by whose desire did you sign it?—Baba Nafra's son was in my shop, and as he was sitting near Mahaluxmee, the lad brought me a paper, and at his request I signed it; but what was the subject of that paper I do not know.

Which of Baba's sons was in your shop?—The youngest, Appa.

After Baba was confined, how many days did Baba's son remain in the shop?—Baba was confined on Wednesday, and on Friday his son left the shop. He remained three days in the shop.

After Baba was confined, how many petitions did Mahaluxmeebaee make to the Bombay Government and this Government?—None.

(signed) *Wuggoobhaee Wunchudass.*

TRANSLATION of the Deposition of Tatia Babajee;* Caste, Devanee Brahmin Kurora; Inhabitant of Olepar, now residing in Baroda; aged 22 years; Profession, Service; made before his Highness the Guicowar, on Shravun Wud 14th, Sumvut 1906 (A.D. 5 September 1850).

*Baba Nafra's sister in-law's son.

Question. A PETITION in the name of Mahaluximee Settanee, widow of Beechur Bhaee Samuldass, and that of her son Purshotumbhaee, dated Jest Vud 10th, of Sumvut 1906 (11 July 1850), is here shown to you; state in whose handwriting it is?—*Answer.* The petition having been shown to me by the Sirkar, I beg to state that it is in my handwriting.

In whose handwriting is the Guzerattee signature below the petition, do you know?—The signature is in the handwriting of Wuggoobhaee, and it was signed by desire of Mahaluxmeebhaee.

Who all were present at the time?—Settanee Wuggoobhaee, myself, goomasta Echaram and Damodhur were present, but I do not recollect the rest.

As you were present at the time the petition was signed, was it first read to the Settanee?—I read the petition to the Settannee, who, together with Wuggoobhaee, and others heard it, and afterwards Wuggoobhaee signed it.

You state that the petition was signed after you had read it; but at whose desire did you write the petition?—As Settanee, Wuggoobhaee, Echaram, Damodhur and others were sitting, the former said, that as great imposition was made on her, she directed a petition to be prepared, which was done by me after all had well considered the matter. There is no difference in this deposition.

(signed) *Tatiaba Babajee.*

TRANSLATION of the Deposition of Wamunrow Venktesh Baba Nafra; Caste, Deccanee Brahmin Kurara, aged about ——*. Profession, Service; made before his Highness the Guicowar, on Shrawun Vud 14th, Sumvut 1906 (A.D. 5 September 1850).

*S. O.

Question. A PETITION in the name of Mahaluxmee Settannee, widow of the late Bachurbhaee Samuldass, and that of her son Purshotumbhaee, dated Jest Vud 10th, of Sumvut 1906 (11 July 1850), on fine post paper is here shown to you, state whether you were cognizant of it, and by whom is it signed and written?—*Answer.* Having read the petition shown to me by the Sirkar, I beg to state, that when I was at my house, and the Shetjee, after having returned from his visit to the Resident, the Settanee prepared to go to Bombay; but I considered that as all blame would fall on me, I advised the Settanee not to go; but if she wished she could make a petition, and everything would be done; on this the Settanee caused a petition to be written, which was done by Tatiaba of Olpar, and sent, and this is the same petition.

In whose handwriting is the petition?—It is in the handwriting of Tatiaba of Olpar.

Were the Guzerattee signatures of Settanee Baee and Purshotumbhaee made in your presence, or how?—They were not done in my presence. There is no difference in the above deposition.

Do you know whether any other petitions were made in the name of Settanee, besides the above?—Two petitions, including this, were made.

In whose handwriting was the other petition?—It may have been written either by my karkoon or goomasta, but I do not now recollect his name.

Were you cognizant of this second petition, and did you read it?—As I was guarded by the Sirkar's people, no one brought me any petition; but as the Shettanee was at that time about going to Bombay, I advised her not to go, but to prefer a petition; after this petition was sent, I heard of another being sent. There is no difference in the above deposition.

(signed) *Wamunrow Venktesh Nafra.*

(True copies.)

(signed) M. Battye, Assistant Resident.

Appendix (F.)

DEPOSITIONS taken before the Resident.

LIST of Depositions, &c. taken before the Resident in the case of the Son of Joitabhaee Settannee.

	Page.
1. Bhyejee Gella, &c., dated 2 July 1850	499
2. Lulloo Bhugwan, &c., dated 3 July 1850	499
3. Lulloo Bhugwan, &c., dated 5 July 1850	500
4. Bhugwan Bhuwaneedas, &c., dated 6 July 1850	502
5. Echaram Vunarsee, dated 8 July 1850	504
6. Dhamodhur Doolubdas, dated 8 July 1850	504
7. Hurreelal Dhajee, dated 8 July 1850	505
8. Dullea Bhawa, dated 10 July 1850	506
9. Seetaram Gopal, dated 10 July 1850	507
10. Munsook Lulloobhoy, dated 11 July 1850	508
11. Mohunlal Purboodas, dated 12 July 1850	509
12. Ryejee Bechur, dated 16 July 1850	510
13. Nurrotum Nurerdas, dated 16 July 1850	511
14. Jooma Joosa, dated 16 July 1850	511
15. Syed Munsoor, dated 16 July 1850	512
16. Chous Mahomedbin Ahmed, dated 16 July 1850	513
17. Hurjeewun Gowtumram, dated 17 July 1850	514
18. Wiswanath Wunmalee, dated 17 July 1850	515
19. Atmaram Lukmeedas, dated 17 July 1850	515
20. Gunga, Woman, dated 18 July 1850	516
21. Dhondee, dated 20 July 1850	517
22. Dada Meeat Havildar, dated 21 July 1850	518
23. Nurbeyram Doolubh, dated 21 July 1850	519
24. Wujoobhoy Waeheedas, dated 1 August 1850	520
25. Amber Sing, dated 14 August 1850	520
26. Jeebhoy Hurreebhoy, dated 14 August 1850	521
27. Rungjee Bheeka, dated 14 August 1850	522
28 Jeetbhoy Jallum, dated 14 August 1850	523
29. Gooman Mowsing, dated 14 August 1850	524
30. Buleeat, dated 15 August 1850	524
31. Purtap Dyaljee, dated 15 August 1850	525
32. Bhugwan Bhowanee, dated 4 September 1850	526
33. Settanee Joitabaee, dated 4 September 1850	526
34. Larbaee, dated 4 September 1850	527
35. Mahakoowur, dated 4 September 1850	528
36. Muncha, dated 4 September 1850	529
37. Bhugwan Bhuwanee, dated 10 September 1850	530
38. Lulloo Bhugwan, dated 10 September 1850	530
39. Dada Meea Havildar, dated 10 September 1850	531
40. Deed passed to Meetapoor Kollee, dated 10 September 1850	531
41. Extract from a Memorandum of Settlement made by Becherbhoy before his death, dated 4 August 1845	531
42. Bhuktee Kandass, dated 9 February 1851	532
43. Vrybhookum Eshwur, dated 22 January 1851	532
44. Maha Luxeemee Baee, dated 5 February 1851	533
45. Rungjee Beeka, dated 5 February 1851	535

N.B.—Though omitted to be stated in many of these translations, all the "depositions" taken before the Resident were given on oath. No. 1, a Petition, and No. 2, a Statement, were not so.

1.

TRANSLATE of a Petition from Bhyjee Ghella, Lulloo Bhugwan, and Bhugwan Buwaneedas, addressed to the Resident, dated Sumvut 1906, Jet Wud 8th (Tuesday, 2 July 1850).

OUR petition is, that after the death of our master Bacherbhoy Samuldass, the whole of his affairs appertaining to our late master's shop, &c. Baba Nafra had the charge of, and according to his (the Baba's) order, we, the goomastas, &c. performed all the business regarding which, on some occasions, our late master's widow, with reference to the Urjwut of the firm, might have interrogated us, when, however, owing to the fear we entertained of coming under Baba Nafra's displeasure, we withheld all information from her, although we consider the Setanee as our mistress, supportress, and parent; she sought from us information regarding the affairs of the firm, and which we, having omitted to furnish to her, we are guilty before the Almighty of a great sin; but Baba Nafra, Bhow Tambekur, and the other karbharees being of one mind and opinion, therefore we remained quiet, yet at the time the Sirkar proceeded to Bombay, Baba Nafra having consulted with the karbharees, brought sepoys from our late master's firm, and placed them as sentries upon our houses, incarcerated us, placed locks upon the doors of our houses, and in various other ways greatly inconvenienced us, after which as appeared best to accord with his personal interests, he wrote out depositions in our names, which he forced us to sign, and which having no alternative we were induced. After which we petitioned the Guicowar Sirkar, but Baba Nafra caused no notice to be taken of our petition, and by his influence with Bhow Tambekur, got us, without being guilty of any crime, confined in the Government chubootra. Therefore we at present petition the Sahib, that our late master Hurree Bhucktee had the guarantee of the Company's Government, and we are his goomastas, therefore to kindly cause our liberation from incarceration would appear to be seemly on our part. Up to the present time have we been compelled to undergo much misery, yet did not petition the Sahib. The reason thereof is, that our houses, families, assets, &c. are situated in the Guicowar Sirkar's territories, and the Resident's late karbaree (native agent*) was also attached to Baba Nafra, and is also the Baba's relative, therefore, under one or other plea the above parties would have ruined us. Entertaining such fears we submitted to the miseries we were loaded with up to the present time, but now being unable to suffer further misery, and seeing the ruin of our late master's family, and from the above conspirators gang your karbaree having also been separated,† we present this petition, and trust the Resident taking it into consideration, and adopting the precaution to keep the contents of this petition secret, will cause the whole of us to be liberated from our present imprisonment, upon which all the further particulars connected with this case, which we intend to disclose, we will submit for the Sahib's information.

* Nursoo Punt.

† Nursoo Punt having been transferred to Ahmedabad.

This is our petition.

(signed) *Bhyjee Ghella.*
Lulloo Bhugwan.
Bhugwan Buwaneedass.

The above signatures is in the handwriting of Mohunlal.

2.

TRANSLATE of the Statement of Goomastas of Hurree Bugtee, of Baroda, *i. e.* Lulloobhaee Bhugwandass, Bhyjee Ghella, and Bhuwaneedass Jumnadass, taken before Captain Battye, Assistant to the Resident at Baroda, on the 3d July 1850.

Question. ON your behalf your relative Mohunlall Bhuwaneedass, in my presence gave in a petition, upon which a yad was sent to his Highness the Guicowar, for your production; consequently, you being all now present thereupon, you are asked to state the truth of all the particulars of your case?—*Answer.* As under particularized in each para.

"Para. 1st. My late master left two widows, the elder named Mahaluxmeebaee, and the younger, Joitabaee: the latter, Joitabaee, has gone to Bombay, and the former, Mahaluxmeebaee, is here at present. This baee is under the Baba's surveillance, and under the guard of three sentries, therefore the baee is incapacitated from coming and deposing before the Sahib; but should both these baees be called before the Sahib, the whole transaction will be explained by them; but Baba Nafra entertains great and certain fear that if he should permit the whole of the parties to become united, then the son of Joitabaee, whom he had in the first instance admitted as the true son (and who was actually the true son) and subquently pronounced to be spurious; and farther, his having ruined the affairs of the firm, and caused the disunion of the two widows, and dissensions amongst them, should be brought to light; therefore he, after having first imprisoned us himself, then caused us to be incarcerated by the Guicowar Sirkar. The younger, Settanee Joitabaee, has proceeded to Bombay, and the elder, Setanee Mahaluxmeebaee, is placed under surveillance by Baba Nafra. Therefore, at present, if the Sirkar will take up the case, and institute an investigation regarding Baba Nafra, having made out the true son as spurious, we are all willing to prove this charge against Baba Nafra. But when the Baba is placed in confinement,

and it becomes known to the people that the Baba is shorn of his influence, then we shall be enabled to produce proofs to establish the above charges. The above is all that we have to say upon this head.

"Para. 2d. Baba Nafra, by giving in false names, drew considerable sums from the firm, and he may also have taken up money from the firm in his own name. When the choupra containing these particulars comes to our hands, and we be united with the elder Settanee Mahaluxmee, we will then show all; and further, when the Sirkar sequestrates the property, estates, &c., belonging to Baba Nafra, the things in his possession, regarding which we have suspicion, we will point out and get seized: this affair we intend to expose entirely, and we have innumerable proofs to substantiate these charges; but Baba Nafra is known to possess great cunning, and has unlimited control, therefore people are afraid of him, and unwilling to come forward to give evidence; we having submitted in writing the above information, is similar to attesting our death warrants, but the Company's Government is our master's guarantee, therefore we are confident the Company Sirkar will protect us. Therefore, according to the obligations of such guarantee have we written this petition."

(signed) *Sha Lulloobhaee Bhugwandass, &c.*

3.

TRANSLATE of the Depositions of Lulloobhaee Bhugwandass, Bhyjee Ghella, and Bhugwan Bhuwanee, inhabitants of Baroda, taken before Colonel J. Outram, Resident at Baroda, on the 5th day of July 1850.

Question, REGARDING the Setanee Joitabaee's son, by what means do you intend to substantiate; show the proof?—*Answer.* From amongst us to Lulloobhaee, in the Mahavud (February) of Sumut 1903 (A. D. 1847), Baba Nafra, the chief goomasta of the firm of Hurree Bhucktee, said, "Go to Meetapoor, of the Nuddeeyad pergunnah, and give some money, and procure spurious parents to the son of the Settanee Joitabaee;" having said according to the above and sent me, I went to Meetapoor and had an interview with this village's Tackoor, Ameer Sing and Vana Rungjee, and said to them, my Settanee Joitabaee has a son, and I want parents for him, whom if you try and procure for me, then you will get much money; according to the above, I called them from amongst many people, and told them; upon this the Thakore and Rungjee promised to procure the spurious parents, when I, together with the people with me, proceeded and put up at the village choura, and from the Vania we obtained upon trust our supplies; at night went to sleep; the next day I got up early, and having sent for the Thakore and Vania Rungjee, again reiterated my request about the production of the spurious parents; they deliberated upon the subject, and having consulted with the Jessapoor Thakore Jeelbhaee, a gosaye of the village, whose name I do not recollect, and Ameer Sing, Thakore's brother Jeebhaee, according to the above the whole having consulted, they decided upon the boy's mother being personated by a kullum named Rulleeyath, and this woman's husband's name I do not recollect; and an uncle likewise was procured for the boy, whose name also I do not recollect. According to this, an uncle and parents for the lad were determined upon, the whole of whom I took with me and left Meetapoor; and on the next day we arrived at the village of Lowlee of the Baroda Purgunnah, and put up for the night in the house of Mumoordar Lalbhaee, from which place, we next morning early awoke, and arrived at Baroda, where Baba Nafra has a garden, in which garden having located the three kollees in charge of Barrote Purtaub who accompanied me, an inhabitant of Lowlee, I proceeded to my own house in Baroda; and to prevent any other parties from having access to this garden, by the orders of the Baba, four Arabs were placed to guard the garden, because at the time these people were about being brought from Meetapoor, they said we being residents of a strange village, and now that we are going to Baroda, the Guicowar Sirkar might place us under restraint, therefore we are not willing to proceed to Baroda; and when they said as above, I told them that the Guicowar Sirkar is in the hands of my master Baba Nafra, therefore you should not be at all afraid, thus did I assure them; upon which these people put an areka nut upon an indicator of omens, and the omen proving propitious, they accompanied me, and to obviate any stranger from meeting and frightening them away, therefore the Arab guards were placed previous to my proceeding home to my own house; afterwards these kollees about seven days remained in this garden, and I used once every day to visit these kollees for the purpose of keeping up their spirits; thus on the last day, myself and Baba Nafra, went to these kollees, and asked them what amount they would take for accomplishing this business, when the kollees said that they would take 3,000 rupees, but Baba Nafra offered them 500 rupees, and after much bargaining on both sides, the amount was at last fixed at 1,700 rupees to be given to these kollees, before which, however, at Baba Nafra's house, the Baba and myself met, and settled that a false deed should be made out, purporting to be on account of the purchase of a lad; and having considered that if the deed should be in the handwriting of some stranger the story would become published, I got my own son, Munsookram, to write out a deed, purporting to be in the name of Bhanabhaee, on account of the purchase of the lad, in consideration of which, so long as the firm was in being, Bhanabhaee promised in this bond, to pay annually to the kollees the sum of 200 rupees, and upon which deed the signature of Bhanabhaee, according to his writing, was found to be wanting. This

signature

signature Baba Nafra's goomasta, Mohunlall, endorsed upon the deed with his own hands and with the view of comparing the writing of this signature, Vyoat Choupra, in Bhanabhaee's handwriting, was sent for from Nurbheram Dessaee, and upon comparing the signature forged by Mohunlall with Bhanabhaee's signature in the above book, it was found to agree, when the forged deed was given over to the above-named Meetapoor koollees, and they were desired to proceed for the purpose of receiving payment to the house of Bhanabhaee; thus were the kollees instructed. Afterwards, on the 11th Phalgoon Sood (A. D. 25 February 1847), the kollees, having the said deed in their possession, went to Bhanabhaee's house, and, having shown the deed, demanded the money adverted to in the deed. A dispute arose about the payment of this amount, from which it became published in Nursingjeo's Pool, that in Hurree Bhucktee's family, the son said to have been born to Joitabaee Settanee, appears to have been purchased from certain kollees, who have come for the purpose of demanding the sum of purchase-money. This rumour further became spread in the whole city. These kollees afterwards came to the firm, showed the false deed, and demanded payment; and said, if the parties would not fulfil the conditions of the deed, the boy should be returned to them; thus they said; from which circumstance my caste collected the same night, and said that Joitabaee had purchased a kollee's son and made him master; therefore that these parties should be expelled from the caste, and, having come to the above determination, Bhanabaee, Joitabaee Settanee's father, was expelled from the caste; after which the kollees from Meetapoor returned to their village. After which, from time to time, one of these kollees used to come to Baba Nafra for the purpose of getting money from him; and as each of these koollees used to come to Baba to demand money, Baba used to satisfy and despatch them from Baroda; consequently the amount above stipulated with these koollees, *i. e.* 1,700 rupees, was completely lost sight of, and they received instead about two or two and a half thousand of rupees. According to the above was the plot got up, and the Joitabaee Settana's son made to appear to be the son of a kollee; but the son, at night, brought forth by Joitabaee. In the morning, Baba Nafra's wife, from her own house, came to the Settanee's and presented five pootlees and goor, and she saw the infant, and upon her return home, on the road, she was saying that, in her master's house, two sons were born, and that the family would become populous, which was very good. Thus saying, she returned home, after which, according to the usual custom upon such occasions, to perform certain ceremonies on the 12th day after the child's birth. In consequence of the Settjee's death, this ceremony was not observed on the 12th day after the birth of the infant, but after six weeks, after the Setjee's death, were these ceremonies observed, on which occasion the Guicowar Sirkar personally attended there, and the other nobility, merchants, and gentlemen, and ameers, and sirdars also attended; and when the Maharajah's Suwaree arrived there, they were presented with dresses of honour, and the soucars who attended presented dresses of honour to the Setjee's family. After which his Highness the Guicowar's Suwaree, returned to the palace, and upon Gopal Rao Moyral also going home, he returned, when he got to the stairs and came into the kutcherry, and arranged with his own mehta, Narrayen Motaleeya for the betrothment with his daughter of our Settanee Joitabaee's new-born son, and named the infant by the name of Mootilall; and as it is the practice among us, upon occasions of betrothments, to stain the chins of the parents of the betrothed parties with red pigment, which was not omitted on this occasion. Baba Nafra acted as the father of the bridegroom, and Gopal Rao Moyral that of the bride; and these two parties stained each other's chins. And further it is also customary to distribute goor, which, on this occasion, also was observed, and one of our goomastas went to Gopal Rao Moyral's to distribute goor, who was rewarded by Gopal Rao Moyral with three dresses of honour; thus did it take place. Two or four days after which, the whole of my master's caste were invited and feasted upon 100 maunds of kunsaree (*i. e.* wheat flour and geogry confects); after which, celebrated Brahmins, astrologers, and joshees were invited, and charity given to them, amounting to thousands of rupees; this also was done. Yet, after all this, this boy was pronounced as spurious by an intrigue and deep-laid plot. The disbursements on the above account are written in the choupras, and the subjoined is a list of the choupras which had been brought for the purpose of ascertaining the amount expended on account of the birth of Joitabaee Setanee's son:

1. Choupras brought from the firm of Samul Bucktee.

Choupra for the year S. 1902 (1845–46).

1 Kurda.
1 Anckdoye.
1 Rowkudmel.
1 Kattavye.
1 Athvye.

Total - - 5 Choupras of each year.

1. The above description of choupras for S. 1903–4–5, numbering as above choupras, in each year will also be produced, from the same firm.

Choupras from the firm of Hurree Bucktee, for the years, S. 1902-3-4 and 5.

1 Kurda.
1 Kuttavye.

Total - - 2 Choupras of each year.

Choupras from the firm of Narrayen Ruchore, for the years S. 1902-3-4 and 5.

1 Kurda.
1 Kuttavye.

Total - - 2 Choupras of each year.

According to the above, from the said three firms, amounting to 36 choupras, should be sent for by the Sirkar; and after examining these choupras I shall point out the several items from them; such is the case; and that the son of Joitabee was genuine; but Baba Nafra, having plotted and conspired as above, stamped him as spurious and the son of a kollee; this the Resident should investigate; according to the above is my case.

(signee) *Lulloobhaee Bhugwan.*
Bhujee Ghella.
Bhugwan Buwanee.

4.

TRANSLATE of the Deposition of Bhugwan Bhowanee; Religion, Hindoo; Caste, Dussa Dessawall Banian; Occupation, Goomasta to Hurree Bhugtee; aged about 37 Years; Inhabitant of Baroda; taken before Colonel J. Outram, C. B., Resident at Baroda, on the 6th day of July 1850.

Question. ON the 5th July the depositions of Lulloobhaee, &c., three persons, were together taken, in which deposition Lulloobhaee stated what he personally knew; but whatever you know in this affair you should truly state are particulars?—*Answer.* The son born brought forth by Setanee Joitabaee, Baba Nafra, the chief goomasta of the shop, caused to be proclaimed and stamped as the son of Rullyat, a kolen of the village of Meetapoor; and regarding this subject Lulloo has given in a deposition before the Sirkar; and the Meetapoor people, claiming the lad as their son, came to take the lad, and it was rumoured in the city that Joitabaee's father had purchased the son of a kollee; and after the circulation of such a report, the kollee returned to Meetapoor, and, according to agreement from time to time, they received sums of money from Baba Nafra; and about 20 days after the Meetapoor people had returned to their village, Baba Nafra caused it to be circulated that the Meetapoor people had come to demand the lad, when Bhanabaee told them that the lad purchased from them by him having died, wherefore should he pay them the money he had agreed to give, and that the lad with him he had purchased from a Tulaweeya Dulleya Bhaneeya, of the Amlleeara village. The above story did Baba Nafra cause to be circulated; and having circulated the above report, and might have sent for and located the Amlleeara Tullaweya, &c. in his garden; but I cannot state it as a fact that he really did so. Thus did Baba Nafra cause the story to be circulated about the Setanee Joitabaee's son; and afterwards Baba Nafra sent for me to his own house, and said to me, "As for Joitabaee, she is at our master's house, and her son at her father, Bhanabhaee's; therefore you will have to go there (at Bhanabhaee's), and fetch both the boy and his nurse, and Bhanabhaee, his wife Ladbaee, and mother Amba, you should cause to be imprisoned, and sentries placed over them. And whatever assistance you may stand in need of for the accomplishment of this business, you should take with you." And having received the above instructions, I took with me the Poorbeya Jamadar Seetanam and Arab Jamadar Munsoor, and went about noon to the house of Bhanabhaee, on Chytursood, Sumvut 1903 (A. D. 1846) I do not recollect the exact date; and seeing Bhanabhaee's house-door shut, I called to them, when Ladbaee came to me out of the upstairs windows, and asked me what business I had. Then I said that Joitabaee had sent to communicate secretly with her; upon which Ladbaee answered, if I had anything to communicate to do so, but that the door would not be opened for me. Then I said, as I had something secret to communicate to her, I could not do so from a distance, and that, if she was not willing to open the door, that I could return. Upon this Ladbaee desired that I should come alone; and after saying this, she descended and opened the door, when I went in; and soon afterwards the followers of the abovementioned two jemedars also arrived, and the whole of them came in, and at once rushed upstairs, and having secured Bhanabhaee, Amba, and the Settanee's son and his nurse, we came down stairs; when the nurse, having the infant with her, took refuge in a room, the door of which Bhanabhaee locked with a padlock; and thus were the nurse and child secured, and Bhanabhaee and Amba were seated; and I detained Ladbaee by holding her by her wrist. She cried very hard to free herself, but I held fast; upon which the people of the neighbourhood and passers-by assembled, numbering about five or seven

seven hundred, and the neighbours came to me, and the crowd which had gathered commenced pelting me with pieces of tile, bricks, and stones; in consequence of which I was compelled to let go the wrist of Ladbaee, who, immediately upon being freed, hastened to the Sirkar's palace; after which I placed guards over the child, nurse, Bhanabhaee, &c., who had been secured upstairs, and went to Baba Nafra and informed him of all the above particulars; upon hearing which Baba Nafra also went to the Sirkar Wadda. In the evening he returned to the shop, and about 10 or 11 o'clock at night Baba Nafra sent for and told me to confine Bhanabhaee, &c., and go and fetch the infant and his nurse. Upon being so instructed, I proceeded again to Bhanabhaee with the intention of fetching the infant and his nurse, but the door was secured with a padlock, and Bhanabaee protested both in the Guicowar and Company Sirkar's name, against my taking the child away; upon which I seated myself there, and despatched Poorbeéya Seetaram to acquaint Baba Nafra, about the (doonahee) protest, against me by Bhanabhaee. Seetaram, upon his return, brought word that I should not mind the protest (doonahee), and regarding the lock, that I should send for a blacksmith, break the lock, and bring away the child and his nurse. Upon the receipt of this message, the infant and his nurse, who were locked up in the room; this lock, I sent for a blacksmith, Hatteeya, who broke the lock, and I took the child and nurse out; and after confining Bhanabaee, &c., I shut up the house, and placed guards upon it, and returned with the child and nurse to the Sett's house where Baba Nafra was; and in the Sett's house in the davie treasury room the child and nurse were locked, and guards placed over them. After which Baba Nafra returned to his own house; after which, the next day, about midnight, Baba Nafra sent for and told me that since yesterday the child and nurse who have been brought from Bhanabaee, you should take and go to the Settjee's garden, and I will follow you; after hearing the above, I took the child and the nurse, and went to the garden, where I saw the above-mentioned Dulleeya, &c., of Amleeara, when Baba Nafra brought with him the goldsmith Veesonath, and came and commenced telling me that the boy was the son of the Tullaveeya Dullya of the Amleeara village, to whom the child should be given; therefore get the goldsmith to strip the lad of the ornaments upon his person; upon which I caused the ornaments to be removed from the lad's person by the goldsmith. After which the goldsmith went away to his house, and Baba Nafra took the lad from the nurse and gave it to the wife of Toollaveeya Dullia, who with Patell Ryjee and Nurrotum, the whole of whom had come from Amleeara; the child was given to Dullia's wife, and on account of the expenses for this lad's subsistance, an order was given upon a goomasta on the part of the Sett residing at Amleeara, named Metha Hurjeewun Gewtum Ram, to supply through Ryjee Bechur Patell, and also an escort of four Arabs were given to accompany them to the village. After which the whole of the above-mentioned parties took the child, and went to Amleeara. Thus was the child of Joitabaee's in the first instance proclaimed as the son of the Meetapoor people; and afterwards a story was falsely circulated that the lad had died, and ultimately the lad was, as above particularized, made over to the Amleeara koolees; but the Setanee Joitabee's mother, Ladbaee, who had gone to the Sirkar Wadda without returning to her home, proceeded direct to Bombay, for the purpose of complaining, and having then complained, an order was received by the Resident at Baroda to investigate her case, upon which the Resident might have sent a memorandum to his Highness the Guicowar, consequently the month of Bhadurwa, Sumvut 1903, Gopall Rao Myral, Meer Surfraj Allie, Shastree Trimbuckram, and Bappoo Shastree, these four persons were directed to investigate this affair, upon which they commenced the investigation, having called, and the witnesses in the case, they commenced to attend, but previous to Baba Nafra took the precaution secretly at night, to send for these witnesses to his own house, and instructed them to depose before the Sirkar, as he tutored them; and after so saying, each of the witness, according to the nature of evidence they had to give he tutored them what to say, and bribed them to say what he taught them; consequently from the love of gain the witnesses deposed before the Sirkar according to what they were instructed to say by Baba Nafra; and to prevent me from knowing that the witnesses were bribed, he used to secretly give them the bribes from his shop in the name of Narrayen Runchore; and the amount thus disbursed, he used subsequently to draw from the firm of Samul Bhugtee; but those witnesses who received these bribes through me, the money I disbursed from the shop of Samul Bhugtee, and the various parties who had been so bribed, I recollect their names, and the amount each received are as follows, viz.:—

	Rs.
To Havildar Dadabhaee - - - - - - - - -	75
To Tullaveeya Dulleeya, &c., in account of Moolie Kooberjee Dyaljee, for supplies, &c. - - - - - - - - - -	32
To Tullaveeya Dulleya and Thoria, at various times - - -	100
To Bhattia Nurberam, of Baroda, residing in Sett Lairee - -	75

According to the above the bribes were given I recollect at present, and have written and the sums given to others can be ascertained by looking at the choupras. According to the above, bribes being given to the witnesses, they were induced to give false evidence before the court, and in this business 1,600 rupees were disbursed through me—the account of which obtains in the choupras—which used to be in my charge, but in the month of Phalgoon, of Sumvut 1906, I was incarcerated, at which time the books were taken from me and made over by Baba Nafra to Vurujbookum Eshwur, a goomasta belonging to the Sett. When those books are received I shall submit the detailed particulars to the Sirkar,

and the matter on the part of the Guicowar Sirkar, by the above-named four persons were conducted, which, however, owing to the decease of the late Maharaj, was not completed. This I state from my own knowledge of the affair. According to the above is my statement.

(signed) *Bhugwan Bhowaneedass,*
(in his own handwriting).

5.

TRANSLATE of the Deposition of Itcharam Vunarshee; Religion, Hindoo; Caste, Lewa Koonbee; aged about 45 years; inhabitant of Baroda; calling, Goomasta to Hurree Bucktee; taken before Lieutenant-colonel J. Outram, C. B., Resident at Baroda, on the 8th day of July 1850.

Question. FROM what year have you been employed in the firm of Hurree Bhucktee?—*Answer.* From the time of my father have I been employed in the above firm, and used to be at my master's shop at an out-station; but from about the month of Vysack, Sumvut 1903, I was transferred to the firm at Baroda, and had performed the duties of moonin to the firm under Baba Nafra.

You being the moonim under Baba Nafra, state what you know about the disbursement made on the 12th day (bharsa) after the birth of a son to Joitabaee, and whether such a child had really been born to Joitabaee, or otherwise?—When the boy was brought forth, and when the ceremony of bharsa was performed, I was at Ahmedabad, consequently I know not.

A son being born to Joitabaee when you were at Ahmedabad, were you aware of the circumstance or not; state?—It is true that I heard, whilst at Ahmedabad, of Joitabaee having given birth to a son.

This child being born, who disbursed the expenses consequent upon the "bharsa" ceremonies?—Consequent upon the birth of this child, the disbursement on account of the bharsa ceremonies might have been made by Mahaluxamee Seetanee and Baba Nafra, the moonim goomashta from the firm.

When you returned from Ahmedabad to Baroda, how old might Joitabaee's son have been?—I returned in the month of Assad, when the child was about seven months old.

After this, what took place about this lad?—I know nothing about what took place.

Having inspected the books produced by you belonging to the firm of Hurry Bhugtee, in the 153d page of the book called khurda (daily account), the sum of 100 rupees is entered in the "Oopper Tupka" (temporary account) as having been given to Rugla Nuttoo; state in whose handwriting this entry is made, and on what account was this amount disbursed?—In my master's firm it is usual daily to make memorandums of roz kirtee, *i. e.* daily receipts and disbursements; from which memorandum the above entry has been made, therefore I am not aware on what particular account the above disbursement was made.

In this roz kirtee memorandum, state by whose authority are the entries made?—For making the entries of amounts disbursed agreeably to the usual practice, no necessity obtains for having the authority of any one; but when any extraordinary disbursements are made, it is necessary to obtain the authority of the moonim Baba Saheb, without which no disbursements or entries can be made.

The above disbursement of 100 rupees; you are called upon to state whether the above sum was disbursed, you consider, as an ordinary or extraordinary disbursement?—The above sum should be considered as an extraordinary disbursement.

State the reason why you do not give a true and direct answer regarding the above sum of 100 rupees?—Regarding the above sum of 100 rupees, Baba Nafra being master, he will give an answer; I do not possess perfect information on the subject, consequently am unable to give a direct answer.

(signed) *Itcharam Vunnarsee.*

6.

TRANSLATE of the Deposition of Damodhur Doollubdass; Religion, Hindoo; Caste, Vyda Banian; Occupation, Goomastah to Hurry Bhugtee, aged about 42 years; Inhabitant of Baroda; taken before Colonel J. Outram, C. B., Resident at Baroda, on the 8th day of July 1850.

Question. FROM what time have you been employed as a goomastah at Hurry Bhugtee's?—*Answer.* From the time of my father.

At present, what duties do you discharge at Hurry Bhugtee's?—For the last seven or eight years I am the moonim goomastah at the potdaree shop, which obtains in the name of Samul Bhugtee.

You, being the moonim goomastah, therefore you are required to state when Joitabaee Settanee was delivered of her son, and what took place regarding this lad?—On the 9th day of Magsurvud, Sumvut 1902 (2 January 1845), the son of Joitabaee was born, and the next morning I heard of it. Afterwards, the moonim goomastah Baba Nafra's wife went there;

there; and afterwards, when the "phatadas" (eunuchs) came and exhibited on the occasion, the whole of the goomastah gave them a rupee each. Afterwards, agreeably to usage, the ceremonies of "bharsa" were performed, and the shastras were assembled and charity distributed amongst them, and the lad on the same day betrothed to the daughter of Gopal Rao Myrals, goomastha, and goor distributed; and the Maharaj also attended on the bharsa. Thus did it take place, and the whole city know of it, and I too know of it.

After the above took place, what do you know about this lad being made out as the son of a kollee, and the disputes, &c. which subsequently took place?—I know nothing whatever about the plot got up by Baba Nafra.

If any money had been in this business given to anybody of which you are aware, you should state?—When the lad was about 10 months old, Baba Nafra, on the 10th Assoo Sood, Sumvut 1902 (1st September 1846), deputed to Bombay a vukeel named Barma Treekum, and on account of whose expenses from the shop of Hurry Bhugtee, constituent Vurujlull Doolub at Bombay, the sum of Rs. 3,170. 9. was drawn; and which sum was credited to the Bombay shop by Hurry Bhugtee, of this place, and the same was credited by us to Hurry Bhugtee's shop, and debited to the account of Myral Bhugtee, under the head of disbursements.

You produced the books of your Sett's shop for inspection before the Sirkar. Upon examining these books in the "Khata chopra," under the head of Bachur Samul's account of the entries, in leaf 33, one in leaf 99, and the other in leaf 136, the words of these two entries have been erased and other words substituted, which you have been shown, therefore you are desired to explain faithfully who erased and changed these entries, and what entries originally obtained in these places?—The erasing and changing of the words of these entries, the goomastha Hurrylall, who under me writes in these chopras, may be aware of. As for myself, I know nothing whatever about the changing of these words, therefore Hurrylall should be interrogated about this matter.

Other items entered in this "Khata," which, besides the above, are in the "Kakud" and "Khurda" chopras entered as "leetee khata" (blank entries) the names of the parties, and besides, through whom these disbursements had been, are also not inserted, therefore you are required to explain the reason why the above sums have been entered as (blank) "leetee khata," and the names of the parties, this whom these disbursements had been made omitted?—Agreeably to the instructions which my moomin goomastha Baba Nafra may have given me regarding the manner in which these entries should be made, I made them in the chopra, therefore Baba Nafra should be required to answer about them.

The above sums to whom did Baba Nafra direct you to give?—I know nothing about it; Baba Nafra should know.

Of the above entries, you have been questioned about one item of 210 rupees, and another of 1,703 rupees is entered as having been paid by you; therefore, to whom did you pay these sums?—Nothing is written in the chopra, but to-morrow, after considering, if I recollect, I shall state.

By inspecting these items, the sums appear to be within 2,000 rupees, and to have been disbursed in Sumvut 1903 (A. D. 1846), and from the present time, only about three years ago; and you being the goomastha of a great Sowkar, you should, from these circumstances above, have a very retentive memory, yet you have above stated that you do not recollect; this appears to be very extraordinary?—Agreeable to Baba Nafra's orders, I gave the amounts, but names of the parties to whom given, Baba Nafra should be called upon to explain.

Regarding the erasure of the above two items, Hurreelall being interrogated about, he denies having any knowledge about it, therefore you are asked; you being the moonim of the shop, this chopra should be under your charge, and further, the chopra must have been referred to by you from time to time since Sumvut 1903 (A. D. 1846), in the discharge of your duties; so truly state whether you ever observed these erasures previously to being shown them on the present occasion?—Being the moonim, the chopra, it is true, is in my charge; and likewise, in the discharge of my duties it has often been seen by me: but the erasures never came under my observation, and having seen them only at present I do not understand.

How did Baba Nafra discharge the duties?—I know nothing about this; Baba Nafra should know.

(signed) *Damodhur Doollab.*
(In his own handwriting.)

7.

TRANSLATE of the Deposition of Hurreelall Dajee; Religion, Hindoo; Caste, Veesalaa Banian; calling, Goomastha to the firm of Hurry Bhugtee; aged about 30 years; Inhabitant of Baroda; taken before the Resident, at Baroda, on the 8th day of July 1850.

Question. ON the deposition of Damodhur Dullootdass being taken, he states, that the vywut chopra of the firm my subordinate goomastha Hurreelall writes thereupon; in consequence of two original items in the above-named book appearing to have been erased with a knife, and others and different entries substituted, you are called upon to explain this matter?—*Answer.* The Khurda chopra which has been shown to me, in the 99th leaf, under an item of the sum of 210 rupees, an entry of 57 rupees is made; this

latter account is in my handwriting; but what I had written appears to have been erased with a knife, and a fresh entry substituted; this was not done by me, and I know nothing about this matter.

You are the writer of this chopra, and Damodhur is your moonim, and both of you state that you are ignorant of the erasure made in the chopra; further, it would appear that you have the charge of this chopra; therefore, how could any body erase the entry in it and substitute another entry; therefore you had better state the truth upon this point?—No other body, without acquainting the moonim, could have access to this chopra, therefore I cannot say that some other body had changed the entry; I have not done it, because I have seen the writing, and find it is not my writing; if unknown to me, any body has changed the entry, he should know.

This chopra of Sumvut 1903 (A. D. 1846), in which the entries are changed, is of recent date, consequently you see it constantly; is it not true that you observed the changed entry made in it some time or other?—It is true that in occasions when I have business with this book, I see it, but the changed entries I never before observed, and having inspected this book, the erasure appears as having been but recently made in it; and in the 135th leaf of the above-named chopra, under an item of 1,703 rupees inserted therein, the sum of 1,193 rupees, and the sum of 10 rupees are entered; these entries also appear to have been erased; I have been shown this, and have also inspected it, but these erasures are not made by me, but would appear to have been erased and changed by some other body, therefore I know nothing about it.

(signed) *Hurreelall Dajee.*
(In his own handwriting.)

8.

TRANSLATE of the Deposition of Dhulleeya Bhaneea; Hindoo; Kollee, Tullaveeya, Cultivator; aged about 40 years; an Inhabitant of Amleeara, in the Baroda Purgunna; given on oath before Lieut.-Colonel J. Outram, C. B., Resident at Baroda; dated 10th July 1850.

Question. STATE all that you know regarding the purchase of your son by Settanee Joitabaee, and his having been returned to you by the moonim goomastha of the Sett, in a garden, on the circumstance becoming known?—*Answer.* I have already given my deposition to the Guicowar Sirkar regarding this matter, and stated all that I was directed by my master Baba Nafra to say, but what I then deposed was all false. If I tell the truth now, and Baba get out of prison, he will kill me; this is what I am afraid of, but as the Sirkar wishes me to state truly what has taken place, I cannot do otherwise, and therefore state as follows. About four years ago, I do not remember the date, but one day, Hurjeevun Mehta and Arabs came from Baroda to Amleeara, and said that Baba Nafra wanted me, my wife Doodhee, and my brother Janee; we according went to Baba Nafra to Baroda, when he desires that we should be kept in his Set's garden, and placed a guard over us; we three were then taken to the garden by Hurjeewun Mehla, put into a room over which a guard of Arabs were placed, and arrangement for our food were made. Thus we remained about 15 days in the garden; and one day, I not remember the date, but the evening had advanced about 1 or 1¼ pohur (about 9 P. M.), when Baba Nafra, attended by Bhugwan, a wet nurse, with the boy, Setaram Jemadar, and sepoys, whose names I do not know; and Baba taking the boy from the wet nurse, offered it to me, when I said that the child was not mine, and I could not take it. Baba then said the 100 rupees that were given to me were given in charity on part of Hurry Bhugtee, and the same would not be demanded from me. Thus he got me to take the Settanee's son as my own; and on my wife taking the boy, we repaired to our village, Amleeara, whither we were escorted by two Arabs, who detained me and Toreea in the kholwur (grain yard), allowing my wife to go home with the boy. We slept that night in the khulwar, and the next morning we were released, after our securities were taken, and we also went home. The next day five Arabs came to my house and said, Bring the boy to the house of Patell Kandass, which is uninhabited. On this my wife took the boy and went with the Arabs to the said place, where she left him and returned home, but she used to go to the said house to feed the child until three months, at the end of which the boy died and was buried; but he was not my son, he was given to me by Baba Nafra.

You say 100 rupees were given to you; when did you receive it?—I received the money before the child was given to me.

Used you to go to the house where the boy was?—Sometimes I went, but not often.

Can you tell the names of the five Arabs who came to your house?—I do not know the names of four of them; the fifth was called Mumdoo.

Where is your wife?—She is sick at Amleeara, and has an infant at her breast, and therefore is not able to come.

Was Hurjeewun Mehta present when the boy died?—He was in the khullee (grain yard), but did not come near the child.

Why were you kept 15 days in the garden?—I was not told why, but the village people said it was because the boy was to be given to me; this is all I know.

When the boy was placed with the Arabs in the said house, was any person besides your wife allowed together?—No one besides my wife and myself were allowed to go there.

When

When you returned to your village with the boy, and were, along with your brothers, detained in the khullee, while your wife went home with the child, why were your securities taken?—Security was taken that we should not run away with the boy given to us, or leave him and go away ourselves: but the next day after the security was given by us, a guard arrived at the aforesaid huvellee or house, and the boy was placed there.

How long was the boy ill; what was his complaint, and how did he die?—The boy was sick one day, the next day he died at about the 3d pohur (about three o'clock); he had vomiting and purging. The intelligence of his death was communicated by an Arab to Baba Nafra at Baroda, who sent a message to me by the Arab either to bury or burn the corpse, according to the custom in my caste. Oil was then given to me, and I lighted flambeaux, and buried the boy at night.

When you took the boy your wife had a boy of her own, two months old; is he still alive?—He is still alive, and now about three years old.

(signed) *Dulleea Bhuneea*,
of Amleeara.

9.

TRANSLATE of the Deposition of Seetaram Gopall; Religion, Hindoo; Caste, Poorbeega; occupation, Service at present; engaged by Hurry Bhugtee; aged about 40 years; Inhabitant of Adjoodah, and having for the last 22 years resided with the Settjee; considered as an Inhabitant of Baroda; taken before Lieutenant-colonel J. Outram, Resident at Baroda, on the 10th and 17th days of July 1850.

Question. WITH reference to the Settanee Joitabaee's son being determined upon as the son of a kollee, and made over as such, it would appear, from the several depositions in this case, that you were mixed up in this affair from first to last; therefore you are requested to state truly all the particulars you are acquainted with regarding this business?—*Answer.* About four years ago, the day and date I do not recollect, but one day when I awoke in the morning I learnt that Joitabaee Settanee was delivered of a son, and I became overjoyed upon hearing the above; and afterwards the ceremonies of the "bharsa" were observed agreeably to the usage of the caste, and the "Maharaja's swaree" also attended, and the usual dresses of honour distributed; after which the "swaree" returned to the palace; after which the Sowcars also attended and presented dresses of honour on their parts. At which time the daughter of Gopall Rao Myral's goomastha, was by Gopall Rao Myral betrothed to this child, and afterwards a distribution of "goor" took place, and, according to the custom amongst their caste on such occasions, to stain chins, Baba Nafra and Gopall Rao Myral stained with red pigment each other's chins; and a few days afterwards celebrated shastrees were assembled, and charity distributed amongst them; and, agreeable to the usage amongst their caste, people were feasted with about 100 maunds of flour, &c.; and after having thus done, when the child was about the age of a year, certain Koolees from Meehtapoor came, and having published that the child had been purchased from them, demanded the amount which had been agreed to as payment for the child, and owing to which it became promulgated all over the city that the child at the Settjee's was spurious, and purchased from a kollee; after which I, Bhugwundas, and a sepoy, went to the house of Bhanabaee about noon, and remained near the door, which, being shut, we caused to be opened, and Bhugwundass went into the house, and I also followed him in, when Bhugwundass ordered me to guard the whole of the inmates, and not permit any one to leave the house. I was acting agreeably to the above instructions, but notwithstanding, Joitabaee's mother effected her escape, abusing us; at which time a great crowd had collected and commenced pelting us with brickbats, &c.; when Bhugwundas returned to the shop and sent other people, upon whose arrival I made over charge to them, and returned myself to the shop, when the sepoy on guard at Bhanabaee's house shut the door and remained there. Thus did it take place; the next day, at night, Bhugwundass called me to the Settanee there; Baba Nafra was seated in the dewan khana, who, together with us, went to the Settanee, when Baba told the Settanee Joitabaee, that the lad with her was the son of the ~~Amleeara~~ Tullaweea, ~~who had~~ come to demand him. What reply the Settanee made I do not know, but Bhugwundass and Baba Saheb were both present, seated; and Baba said that as the wet nurse, Gunga, would accompany me, therefore that I had better take Bhugwundass with me, and go to Bhanabaee's and fetch the child; upon which we all went there and brought the child away from Bhanabaee and returned to the Settanee; after which I remained seated outside, and the nurse took the child inside, where Baba Nafra and others were seated; about an hour afterwards, the child being in the arms of the nurse, she and Baba Nafra and Bhugwundass came outside, and having with myself about 10 or 12 sepoys, and a goldsmith with them, we all of us proceeded to the Sett's garden, after which the goldsmith stripped the child of his ornaments, which Bhugwundass took possession of, and Baba delivered the child over to the wife of a Tullaveeya, who, together with another, whose name I know not, met us at the garden; after which we all, including the Baba, left the place, and about 10 o'clock at night reached the guard at the Settjee's house, and Baba proceeded towards his own house; after which, whether the Amleeara people took the child away from the garden at night or day I know not.

The Tullaveeya states that a couple of Arabs accompanied them to Amleeara?—Yes; the Tullaveeyas left at night, therefore they were allowed a couple of Arabs to escort them; this I now recollect.

You state that the child was given up on your going for him to Bhanabaee's, and that you then fetched the child away; but your colleague Bhugwan states, that in an upstairs room at Bhanabaee's the child was locked up, and that the attendance of blacksmith Hatteea was called in, the lock broken, and the child taken out; how do you explain this?—Another wet nurse was there, who took refuge with the child in a room, the door of which she closed and chained; and because they would not open the door the blacksmith was called to break it open; when they opened it, upon which the child and his nurse was brought away, I recollect very well that there was no lock upon the door.

You state that having brought away the child from Bhanabaee's, you returned to the Settanee's; but Bhugwan states, that upon taking the child away you all proceeded to Baba's, and unknown to the Settanee, the child and his nurse was located in a mundeer khotas, situated in the Settjee's house; how do you explain this?—As for me, I state what I saw; but it is true that afterwards the nurse was seated in the khotur with the child.

Was the Arab Jumadar with you or not?—The Jemadar's people were with me; but I do not recollect whether he was with me or not.

You having stated as above, you are requested to state whether this child looked like a Kolee, or respectable person's son?—This child's face was neither dark nor fair; but I cannot say whether it resembled that of a Kollee or Sowcar.

Is the child delivered over to the Tullaveeya at present alive or dead; state?—I have learnt that the child is dead.

If this child had been the son of a Bheel, how is is it that the "bharsa" was observed, his betrothment performed, and himself seated upon the gadu; and subsequently how was he made out to be the son of a Tullaveeya; can you explain?—From the circumstances of the Meehtapoor people coming to demand the price of the boy, the child was considered spurious.

From the Meehtapoor people coming to demand money for the boy, it was known, therefore why was the child then made over to the Amleeara Tullaveeyas?—According to the instructions from my superiors I acted; besides which I know nothing in this matter.

You state that from rumour you heard of the death of the child; did he die of treachery or disease?—I know nothing about it.

(signed) *Poorbeeya Seetaram.*

Further Examination on the 17th July 1850.

Question. Your deposition was taken before me on the 10th day of July, independently of which have you given any other deposition?—*Answer.* In this matter I formerly deposed before the Guicowar Sirkar.

What did you state on that occasion?—A long time having elapsed I do not recollect; but according as things transpired so I must have stated.

The Lohar Hattee states, that Jemadar Seetaram's people came to call him, upon which, having taken his food, he proceeded to the house of Joitabaee's father, Bhanabaee, and having broken the staple of a door, opened it; therefore state what person you sent to call the blacksmith?—Who I sent I do not recollect; but the blacksmith attended with his tools, and broke a staple, and opened the door.

In the city, when it is necessary to break open a door, whose authority is required?—The Guicowar Sirkar being omnipotent, without his permission no person can either put on a lock or break open a staple of a door.

Then, when the staple of Bhanabaee's door was broken open, had the Guicowar Sirkar's permission been obtained?—The Maharaja's permission had not been obtained, but Baba having desired me to execute Bhugwan's every order, I was induced to comply with whatever Bhugwan desired me to do.

The house which was by the Sett built for you, how have you arranged for the necessary outlay?—Baba at the time told me that I should have to repay the amount expended, and I hold myself liable for the amount.

(signed) *Poorbeya Seetaram.*

10.

TRANSLATE of the Deposition of Monsook Lulloobhaee; Religion, a Hindoo; Caste, Vyda Banian; occupation, Solicitor; age, about 22 years; Inhabitant of Baroda; taken before Lieutenant-colonel J. Outram, Resident at Baroda, on the 11th day of July 1850.

Question. IT appears that the deed passed to Kollee Rugnath, of the Meetapoor village, on account of purchase of his son by Sha Bhucktee Khundass, of Baroda, was written out by you; therefore you are desired to state truly, if you wrote out this deed, who told you to do so; where and when was it done?—About the year Sumvut 1902, on Magsur Vud 8th (7th November 1845), about three years ago, Baba Nafra from his house sent a man to call me; but this man's name I do not at present recollect. For which reason I waited upon the Baba, where Baba Nafra and my father, Lulloo Baee, both were seated on the upper story of a kamjee mundeer, located opposite to the Baba's house, where I also went, when Baba

Baba Nafra desired me, in Bhucktee Kundass * name, according to his dictation, to write out a leckh. After saying this, according to the Baba's dictation, I wrote out the leckh, in which leckh; at the top, the Meetapoor Kollee Rugnath's name was inserted, and at the bottom that of Bhucktee Kundass. Thus being required, I wrote out the leckh; after which I returned to my house.

* The name of Joïtabaee's father, usually styled Bhanabaee.

This leckh which you wrote out, what were the obligations contained therein?—The obligations were, that in consideration of Rugnath Collee's son being purchased by Bhucktee Kundass, the latter individual bound himself to pay for ever to the said Rugnath Kollee annually the sum of 201 † rupees; and for the due observance of the above obligation they swore by the God "Runchorjee." I recollect the leckh being written agreeable to the above purport; but what the leckh contains is the truth.

† *S. O.*

Did you endorse this leckh, that it had been written by you?—This deed being written privately, I recollect that I omitted to certify upon it that it was written by me.

You state that the leckh purporting to be from Bucktee Khandass to the Kollee, you were induced to write at the desire of Baba Nafra; but as the Bucktee was not present on the occasion, how came you to write it?—My father and Baba Nafra were both seated when I was directed to write this leckh. Besides, of Hurree Bhugtee's firm, Baba was the moonim chief, and still further friendship existed between my father and the Baba; for the above reasons, it is true that at the request of Baba I wrote the deed.

Independent of the above leckh, have you ever written out any other leckh in any other party's name?—No, never.

Who wrote the signature of Bucktee Kandass at the bottom of the leckh?—After having written out the leckh I returned to my home, and I did not with my hand subscribe the signature; but subsequently who the Baba might have got to sign the leckh I am not aware.

For having written out this leckh were you not recompensed?—I received no recompense whatever.

At the time this leckh was being written, was the Metapoor Kollie Rugnath present?—No, nobody was present.

The leckh at present shown you, you are required to minutely inspect, and inform us whether you can recognise it as the one written by you in the upper story, and whether the writing is yours or any other body's?—I recognise the leckh at present shown me as the one I wrote out, and it is in my handwriting.

On which side does the door of the ranjee mundeer face?—I was young when I wrote out the above-named leckh, for which reason at the time I did not become acquainted with the quarter of the globe to which the door faced; and even at present I am not perfectly informed upon the subject.

Was this leckh written during the day or night-time?—It was written after the first pore of the day (nine o'clock A.M).

When you were writing the leckh, was your father near you, and did you consult with him about the writing of this leckh?—My father was seated near me; but as Baba Nafra dictated the contents of the leckh to me, there existed no necessity for consulting with my father, but according to Baba Nafra's dictation I wrote out the leckh, and returned home.

At the time you wrote out this leckh, were you aware for what reason and wherefore it had been prepared?—I was not aware of anything.

Do you know any proceedings which recently resulted from the writing of this leckh?—I am not aware of anything about this matter.

Regarding the above matter, did your father ever speak to you at home?—I was told nothing.

(signed) *Munsook Lulloobhaee.*

11.

TRANSLATE of the Deposition of Mohunlall Purbodass; Religion, Hindoo; Caste, Dussa Nagur Banian; occupation, Goomashta; aged about 35 years; Inhabitant of Baroda; taken before Colonel J. Outram, Resident at Baroda, on the 12th day of July 1850.

Question. IT appears that Baba Nafra had written out a deed purporting to be from Bucktee Khandass to the Metapoor Kollee Rugnath, for the purchase of a lad; upon this document it would appear that you forged the signature of Bucktee Khandass; therefore you are desired to state truly whether you forged the name of Bucktee Khandass upon this deed, or otherwise?—*Answer.* In this deed I never with my hand forged any signature, and I know nothing whatever regarding this forged signature.

This deed is shown you, which inspect, and it will appear that the forged signature upon it appears to be in your handwriting, which explain?—Having inspected this signature, I declare that it is not my handwriting.

Having compared the writing which you had been required to trace with the writing of the forged signature upon the leckh, and having taken the opinion of the Sowcars upon them, the Sowcars say that the writings appear to be both alike; therefore you should explain this?—If the Sowcars say so, they might know; but the forged signature is not in my handwriting.

You deny having forged this signature, but do you know whether the signature is in the handwriting of Bucktee Khandass?—I have never seen the Bucktee's handwriting; therefore I am not aware whether the forged signature is in his handwriting or not.

When you were asked what place you were an inhabitant of, in the first instance you said that you were an inhabitant of Ahmedabad, then Surat, and lastly Baroda; therefore you should explain the reason why you made these several statements?—My forefathers were originally inhabitants of Ahmedabad, then they removed to Champaneer, from which place they came to Baroda; and although I was born at Baroda, I resided about four years at Surat, and being in the habit of frequenting that place, I was an inhabitant of that city.

Lulloo Bhaee Bhugwan states in his deposition, that himself and Baba were seated together, and he got his son to write out the deed, and that you wrote the signature upon it, and this he stated to your face, therefore how do you explain this?—I know nothing of having forged the Bucktee's signature, and what Lulloo says is false, and what I state is the truth.

At present where are you employed as a gomashta?—Since the year Symvut 1900 (A. D. 1843), Baba Nafra has opened a shop, from which time I have been employed by him, and still continue so.

(signed) *Mohunlall Purboodass.*
(In his own handwriting.)

12.

TRANSLATE of the Deposition of Bhyjee Bachur; Religion, Hindoo; Caste, Pateeda Lewa; profession, Cultivator; aged about 40 years; Inhabitant of Amleeara, Purgunnah Baroda; taken before Lieutenant-colonel J. Outram, C. B., on the 16th day of July 1850.

Question. DID you ever hear of kollie Dullya, of the Amleeara village, having brought a lad; and if you have heard of such an occurrence, you should state all the particulars?—*Answer.* About four years ago, I do not recollect either the day of the week or month, one day early in the morning the kollies of our village Dullya, and I with the wife of Dullya and a lad, under the escort of two or three Arabs, arrived near the grain stacks of the village, when myself and our village Mehta Hurjeewun being sent for, we together with Patell Narrotum went to the grain yard, when Hurjeewun remarked that Baba Nafra having made over the lad to the charge of the wife of the kollie Dullya, security for their appearance should be taken, upon which Tulluveeya Bhoodur and Bheekloo becoming security for the kollies Dullya and Jhoreya, they, together with the lad, were permitted to proceed to their homes. A couple of days afterwards, from Baroda, about three or four Arabs arrived at our village, and told me and Patel Narrotum, that Baba Nafra had desired them to inform us that the lad and the wife of the kollie Dullya should be accommodated with a separate place to reside in, upon which I pointed out the house of the Patel Khandass Vusta for their residence; after which these Arabs placed the kollie's wife and the lad in the house, which they guarded; the lad used to be suckled by this woman, and about three months afterwards myself and Patel Narrotum were in the grain yard, when an Arab came to us, and said that the lad was taken ill; thus did he tell us in the morning, and on the evening of the same day, about four o'clock, an Arab came and informed us that the lad had died, and when I heard this I remarked to Hurjeewun Mehta, "These Arabs will not give me access to the house, therefore you had better personally go see the lad, and make all the necessary investigations." And upon my so desiring him, Hurjeewun went to see the lad, and on his return he told me that the lad was dead, and that he had seen the body; and to acquaint Baba Nafra of this occurrence, I sent the Dhura Sunneya of our village to Baroda. After which the Arab Jemadar Synd Munsoor arrived on the evening of the same day from Baroda, and desired the kollies, if it were customary amongst them to bury their dead, that they should bury the body of the lad, and if to burn, the body should be burnt; he having said this I returned to my house, when the Bhungees came to me and said that the child was about being conveyed away, therefore that they wanted oil; upon this I ordered them to take what quantity of oil they wanted from Banian Jewair's shop.

Did you see the body of the lad after his death?—I did not see the dead body, but heard of it from Hurjeewun.

When Dullya's wife had brought this lad home, did you see him with your own eyes?—It is true that I saw the lad when he was brought to the grain yard with my own eyes.

On this occasion, when you saw the lad how did he appear; like the son of a kollie, or how?—He did not look like the son of a kollie, but handsome, like the son of a respectable person.

You state that when the lad was brought by kollee Dullya and his wife into your village, then you became acquainted of the fact; but from the deposition of Hurree Bucktee's goomashta Bhugwan Bowaneedass, it would appear that when this lad was by Baba Nafra given over in the garden to the wife of kollie Dullya, both yourself and Patel Narrotum were present, and the necessary disbursements on account of the lad was, through you, to be received from the Sett's goomashta Hurjeewun, upon whom an order was drawn and forwarded by you; how do you explain this?—When the lad was made over I was not in the garden, but on account of expenses on account of the lad, an order upon Hurjeewun was sent with Jemadar Synd Munsoor.

(signed) *Patell Bhyjee Bachurby.*
Pll. Narotum Narrain.

13.

TRANSLATE of the Deposition of Narrotum Narrain; Religion, Hindoo; Caste, Pateedar Lewa; occupation, Cultivator; aged about 46 years; Inhabitant of the village of Amleeara, of the Baroda Purgunnah; taken before Lieutenant-colonel J. Outram, C. B., Resident at Baroda, on the 16th day of July 1850.

Question. DID you ever hear of Kollie Dullya Bhanea, of your village, having brought to the village a lad; if you have, state truly all particulars?—*Answer.** About four years ago, the day and date I do not recollect, but one day early in the morning, Tullavia Dullya, his wife Joreeya, and in the arms of Dullya, a sucking infant, together with a guard of two or three Arabs, arrived in the grain yard of the village, and I was sent for by the Mehta of our village, whereupon, having gone to the grain yard, Hurjeewun informed me that from Baroda a child had been made over to the charge of Dullya, therefore security should be taken from both him and Jooregа, thereupon I received security from the whole of them, and then permitted them to go to their houses; after which the said Dullya took this child, and, for a couple of days it remained with his wife in his own house. After which about four or five Arabs arrived from Baroda, who had been sent there by Baba Nafra, came to me and said the Baba Nafra had desired them to request me to name a separate house for the residence of kollie Dullya's wife, and the child with her, upon which I pointed out the house of patell Khandass Vusta, who had decamped to another village, which was vacant, upon which these Arabs removed thereto the kollie's wife, and the child, and placed themselves as guards upon the house. About three months after this the lad became ill, in the morning, which was reported by the Arab to myself and Hurjeewun at the kollie; and in the evening of the same day one of the Arabs came and informed us of the lad's death, upon which I desired Hurjeewun Mehta to go personally and see the lad, and make all the necessary inquiries. Upon so desiring him he went to see the lad, and when he returned he informed us that the lad was dead, and for the purpose of making the same known at Baroda dispatched an Arab.

The Arabs who were the guards over the house, what were their names?—I do not know their names.

When Dullya's wife had brought the infant, did you see him with your own eyes?—Yes, when the infant was brought from Baroda, by Dullya's wife, I saw the infant.

Since you saw the infant, state whether he looked like a kollie's son, or otherwise?—No, he did not look like the son of a kollie, but was a good-looking child.

When the above Dullya, &c., came into the village with the infant, by the suggestion of Hurjeewun Mehta, security was taken from them; thus you stated; but, besides yourself, did any other patell of your village know anything about the above?—Yes, Bhyjee Bachur, patell of our village, knows all the particulars of this affair.

You state that personal security was taken from Dullya and Joreya; you should name the parties who stood security?—The Tullaveeya Bhoodur and Bheekloo were the parties who stood security.

You state above that the lad being received by Dullya, &c., at Baroda, therefore Hurjeewun Mehta requested that security should be taken from them; state by whom the lad had been delivered to these kollies?—I was informed that Baba Nafra had delivered the lad to these kollies.

You state above that you became aware of the fact upon the arrival of Dullya and his wife with the infant at your village, but from the deposition of Hurree Bucktee's goomashta, Bhugwan, it would appear that when this lad was by Baba Nafra delivered over in the garden to Dullya, &c., that yourself and patel Bhyjee were present; how do you explain this?—At that time I was not present.

(signed) *Patell Narrotum Narrain.*
(In his own handwriting.)

14.

TRANSLATE of the Deposition of Joriah Jessa; Religion, Hindoo; Caste, Tullaveeya Kollie; occupation, Vurtunia to the village; aged about 35 years; inhabitant of the village of Amleeara, pergunnah Baroda; taken before Lieutenant-colonel J. Outram, C. B., Resident at Baroda, on the 16th day of July 1850.

Question. JOITABAEE SETTANEE is stated to have from your cousin's house purchased a boy; the above becoming rumoured, the Sett's moonim goomashta, Baba Nafra, would appear to have delivered over to your cousin this lad; and further, entertained your brother for 15 days

* This witness, to evade the responsibility of being concerned in the plot, before it was carried into execution, conceals the fact that he and other patell Bhyjee had been sent for by Baba Nafra, and brought the kollies to Baroda, who were made to claim the boy. Bhugwan's statement to this effect is confirmed by Hurjeewun Mehta.

15 days in the garden. All the particulars which you are aware of regarding the above transaction you are called upon to truly state?—*Answer.* About four years ago, the day and date I do not recollect, one day I was asleep in our village grain yard when our village havildar Kurreemkhan, and Dara Sunnya Runcharejee, both came, and desired me to go along with them, upon which I accompanied them to the shed in the grain yard, where my cousin Dullya and the Arab sent from Baroda by Baba Nafra, and one Mehta Hurjeewun, were seated; after which, Hurjeewun, &c., told me and my brother that Baba Nafra had sent for us to Baroda; after this being told us, both myself and my cousin followed them, when they said it would be well for Dullya's wife to go with us, upon which Dullya's wife, Dhoodee, was also called, and we three persons accompanied the mehta and Arabs to Baba Nafra's house at Baroda, when Baba desired the Arabs, &c., to take us three persons to the garden, and to be cautious that no person had access to communicate with us. After which these people took us three to Hurree Bucktee's garden, and located us in one room, and placed upon us a guard of Arabs; our food was sent us by Baba Nafra. Thus for 15 days we remained in this garden, after which, about midnight, Baba Nafra and Jemadar Seetaram, Bugwun, and a female having this child with them, together with sepoy Dada, came to us; after which Baba Nafra took from the female the infant, and made him over to Dullya's wife, when Dullya remarked that the child was not his, therefore how could he receive it? Upon this, Baba Nafra said that the infant belonged to the Settanee, "but we have decided it as yours, therefore I give it over to you, and the 100 rupees which you have already received I shall not take back." After saying this, the lad and us he despatched to our village, and sent with us a couple of Arabs as an escort; after which we proceeded to our village; that day we remained at our house; the next day (a building belonging to patell Kandass also is vacant at our village) Dullya's wife and the infant were by these Arabs conveyed into this building, and there stayed about three months; after this the lad fell sick and died, at which time I being sick did not assist at the burial; upon what I learned from Dullya, I know that the child died.

Did this child look like a kollie's, or did he appear handsome?—The child was handsome, and did not look like a kollie's.

How many Arabs were placed as guards upon this child?—There were about four or five Arabs, but I do not recollect their names.

(signed) *Tullaveeya Joriah Jessa.*

Additional Question, &c.

Question. At the punchayet assembled at the Maharaj's formerly, you deposed before them; state whether this deposition was correct, or how?—*Answer.* The former deposition given in by me before his Highness the Guikowar was in accordance with what sepoy Dada taught me.

On this subject, were you by anybody remunerated for giving your former deposition?—Through sepoy Dada, eight maunds of grain and 2½ rupees in cash was given me; therefore agreeable to Dada's teaching I gave in my former deposition.

(signed) *Joriah Jessa Tullaveeya.*

15.

TRANSLATE of the Deposition of Synd Munsoor; Religion, Mahomedan; Caste, Arab; occupation, Servant; aged about 52 years; Inhabitant of Baroda; taken before Lieutenant-colonel J. Outram, C. B., Resident at Baroda, on the 16th July 1850.

Question. WHERE are you at present employed?—*Answer.* For the last 12 years I am employed at Hurree Bhugtee's.

What do you know about the son of Joitabaee Settanee being brought away from the house of her father, and the particulars of all you know about this affair you are required to state, from first to last?—About three or four years ago, the day and date I do not recollect, but upon one day my master's goomashta, Baba Nafra, ordered me to take along with me Jemadar Seetaram and accompany Bugwun Mujmoodar; and according to what Bhugwun would order me I should do; upon which, taking with me Jemadar Seetaram, I accompanied Bhugwun, who after having proceeded a short distance, bid me wait on the road, and Bhugwun and Seetaram proceeded onwards; and having arrived at Joitabaee's father's house, got the door opened, and Bhugwun sent a messenger to call me; upon which I proceeded to the residence of Joitabaee's father, and upon my arrival Bhugwun was standing at the foot of the stairs opposite to the door, and Seetaram was standing half way up the stairs, with whom Joitabaee's mother and father were disputing, and they prevented Seetaram, &c. from going up stairs; at this time Joitabaee's mother came down stairs and ran away, and the nurse took the child and entered into a room, the door of which Joitabaee's father locked with a padlock; after which myself and others went up stairs and put down the trap-door, and closed the wicket, and we all remained inside, because a crowd had collected outside, and commenced pelting us with brickbats, &c., and gave out that we had come to kidnap Joitabaee Settanee's son, and they continued pelting the brickbats, &c.; and Bhugwun, who had been with us, went away, and again returned from Baba Nafra, with a few persons for assistance, when the crowd who had collected before the door dispersed, and Joitabaee's father we secured. Afterwards, about midnight, the aforesaid Bhugwun and Seetaram commenced coaxing Joitabaee's father, and informed him that Joitabaee had sent for

for the child, therefore he should send him; after which they got the nurse to take the child, and Bhugwun and Seetaram took both the child and the nurse away with them, and left me to guard the place.

Upon what place were you placed as a guard?—I was left to guard the wicket of Joitabaee's father's house, when Seetaram and others went up stairs.

From this house where was the lad conveyed?—I learnt that instead of taking the child to the Settanee, they conveyed him away to a garden; this did I hear; and the same or the next day, about midnight, Baba Nafra sent for me, and ordered that I should send as an escort two of my most intelligent men, with certain kollies, who were about to proceed to the Amleeara village with the lad; upon which I ordered both my chous, Mahomed and another sepoy, to proceed to the garden, and accompany the kollies who might have the lad in their possession, to the end of their journey, and return. Thus being instructed, they escorted them to the end of their journey and returned. Three or four days afterwards, Baba Nafra sent for me, and ordered me to send four of my men to Amleeara, and instructed them to go to the village patells, and where they pointed out a secluded place to locate the lad and his mother, and not to allow any other person to have access to them. Having received the above instructions, I accordingly sent the men to Amleeara, after which again Baba desired me to proceed to Amleeara, and instruct the village patells, &c. to disburse all the necessary expense on account of the lad's subsistence; upon which I went and informed the patells, &c., and returned; after which, about two or three months, one day about six o'clock, p.m., Baba sent for me, and told me that the lad who was under the guard of our Arabs at Amleeara had died; therefore that I should go there, and tell Dullya to dispose of the body according to the custom amongst his caste people; and having gone to Amleeara, Dullya told me that it was usual with them to bury their dead, but that it was strange that I had not brought with me cloth for covering the corpse, but an Arab having with him a piece of cloth I gave it to the kollie, after which the body was taken by Dullya and a few others of this village, and the Arabs who were placed as guards, about nine or ten o'clock at night, and buried; and for the torches to go with the funeral I caused the modee to supply oil; after which these people, together with my sepoys, returned.

Of what disorder did this boy die, and after his death did you see the corpse with your own eyes?—I know not of what disorder he died, but I saw the corpse after death with my own eyes.

Where at present are the four men you sent as a guard to Amleeara, and mention their names?—One was named Chows Mahomed, who is present, the second was a Scindee who is dead, and the remaining two men I do not recollect their names, and having a long time ago been discharged, therefore their present whereabouts I am ignorant of.

(signed) *Synd Munsoor.*

16.

TRANSLATE of the Deposition of Chows Mahomed bin Ahmed Badooba; Religion, Mahomedan; caste, Arab; occupation, Servant; aged about 30 years; Inhabitant of Baroda; taken before Colonel J. Outram, Resident at Baroda, on 7th day of July 1850.

Question. ABOUT three years ago, had you been to Amleeara; and if you had, upon what business did you go?—*Answer.* About what time, I do not recollect the day or date; but one day, being ordered by my jemadar Munsoor that myself and the Scindee both should proceed to the Sett's garden, and escort kollie Dullya Tullaveeya and his wife, who had possession of the child taken from Joitabaee Settanee, to the end of their journey, upon which, about 10 o'clock at night, we left, and arrived with these people and the child, who was with them, the same night at Amleeara, at which time we made over to the mehta and others of this village the child, woman, &c., and sent a person to call the patell. The next morning we returned to Baroda, reported the same to my jemadar, who reported the same to Baba Nafra. After which, the next day, my jemadar ordered myself, and three other men, to proceed to Amleeara, and desire the patell to point out a vacant house, in a secluded spot, for the accommodation of the said Dullya, his wife, and this lad; and further, that no other person should be permitted to have access to these parties. Having received the above orders, we four persons proceeded to Amleeara, and delivered the above message to the village patell, and requested that the said Dullya, child, &c., should be made over to our charge, and a house pointed out for their accommodation. Upon which, the patell pointed out a house to us, and brought Dullya, his wife, and the child, to us, the whole of whom we located in the house pointed out to us, and mounted guard over it; and this child used to be constantly suckled by Dullya's wife. About two or three months after this, in the morning, this lad was taken ill of cholera, which I at once reported to the mehta, and the village patell, in the village grain yard; and in the evening of the same day the child died, when I sent a man to inform the mehta of the village of the same; whereupon the mehta came and viewed the dead body, and went away. I told him to inform the Baba of the same; and having so desired him, he might have sent a man to the Baba. And the night of the same day, about seven o'clock, my jemadar, Synd Munsoor, arrived, to whom the dead body was shown. The jemadar told the kollie Dullya, that if it was usual amongst his caste to bury their dead, that the Baba had given permission for the burial of the corpse, therefore it should be buried. Upon which, the body was taken by Dullya, and two or three others of his relations, for the purpose of being buried, and with

them we, the guard, also went. Afterwards, about midnight, having buried the child, we returned, and next day we came to Baroda.

You have stated that the child died of cholera, do you know whether the child, besides being attacked by cholera, had any other disorder?—Cholera was at the time raging in the village, therefore the child died of this disorder; before which, one of my sepoys also died of the same disorder.

Where at present are the other men who were on guard with you?—One is dead, and the other two being discharged, who knows where they might have gone to? therefore I know not.

(signed) *Chows Mahomed bin Hamed Badooba.*
(In Persian characters.)

17.

TRANSLATE of the Deposition of Hurjeewun Ghowtumram; Religion, Hindoo; caste, Mhode Brahmin; occupation, Servitude; aged about 50 years; Inhabitant of Baroda; taken before Colonel J. Outram, C.B., Resident at Baroda, on the 7th day of July 1850.

Question. WHERE are you at present employed?—*Answer.* For the last 15 years I have been employed in Hurry Bhugtee's firm, and for the last five years have I discharged the duties of goomashta.

Were you ever despatched by the above Sett as his mehta at the village of Amleeara?—Yes, in the year Sumvut 1903, or A.D. 1846, I was deputed on the part of the above-named Sett as his goomashta at the Amleeara village.

What do you know about the Joitabaee Settanee's son being delivered to the Amleeara people?—About the year Sumvut 1903, the day and date I do not recollect, but one day my master's moonim, Baba Nafra, called and delivered to me a note, and desired that I should deliver the note to the patell; and the parties named in the chit, whom the patell would point out to me, I should bring with me. After thus instructing me, he gave three or four Arabs to accompany me. Afterwards, the above-named patells, who had come to dine at Bhugwan Mujmoodar's, I found out, and the same night, at nine o'clock, I took them with me, and proceeded to Amleeara, and having arrived at the village grain yard, the patells called and delivered over to me the parties named in the chit, *i. e.* Tullaveeya Dulleeya, his wife and Jonia. After which, I fetched along with me these three individuals, together with these Arabs, and returned to Baba Nafra's, at Baroda, when Baba ordered that these parties should be taken to the Sett's garden. Upon which I took the aforesaid Dulleeya, &c., to the garden, after which I proceeded to my place at Amleeara. About 15 days afterwards, about four o'clock, A.M., some Arabs brought the above Tullaveea Dullyeea, his wife, Jonia, with a child, to the grain yard of the Amleeara village; and from my sleep these Arabs roused me, and informed me that the mooneem goomashta of our master's firm, Baba, had delivered to the Tullaveeya Dulleeya and his wife the boy; therefore it was the wish of the Baba that security for their appearance should be taken from them, whereupon I sent immediately for the village patells, Nurrotum and Bhyjee, and informed them that Baba had delivered to the aforesaid Dulleeya and his wife a boy, therefore security for their appearance should be taken from them. Upon which, three patells took from the above-named Dulleeya and Jaina Tullaveea, Bhoodur, and Bhickla, as security for their appearance; and after having taken the above two securities, they were permitted to go to their homes. The above particulars I wrote for the information of the Baba, and despatched the Arabs, who had come with the boy, with it. About two or three days after this, five Arabs arrived from Baroda, at the house of patells Nurrotum and Bhyjee, and told them that it was the Baba's orders that they be shown the wife of Dulleeya, to whom the boy had been delivered, and the boy, and to point out for their accommodation a house secludedly situated. Upon which, these patells pointed out in the village the house of patell Khandass, who having absconded from the village, the house was vacant for their accommodation, and also delivered over to their custody Dulleeya, his wife, and the aforesaid lad, whom the Arabs located in the house of the aforesaid patell Khandass, and mounted guard over it; and the lad was suckled &c., by the aforesaid Dulleeya's wife. About two or three months afterwards, about noon, one day, one of the Arabs of the guard called upon and informed me, that the lad in charge of Dulleeya's wife was taken ill, and I assured him that the news should be sent to Baba at Baroda; and about three o'clock in the afternoon, one of the Arab guard came and informed me that the boy was dangerously ill, upon which myself and patell Bhaeejee and Nurrotum, &c., were proceeding to see the boy, when an Arab met us on our way there, and said that the boy was dead. Hearing which, we returned to the village grain yard, and, for the purpose of intimating the same to Baba, sent the village guard, Runchore, to Baroda; and I having got my mare ready, proceeded to the Arab Chokee, where the boy had expired, and saw the dead body of the lad, and told the Arabs, that the lad having died, they should permit the body to be disposed of according to the custom of the Tullaveeya people, when the Arabs told me, that when their jamudar arrived from Baroda with the Baba's instructions on the subject, such instructions should be observed; therefore to intimate the news, I came to Baroda, and communicated the same to the Baba, who immediately despatched from this place the jamadar Synd Munsoor to Amleeyara, and it being late, I remained that night at Baroda; and either the second or third day afterwards, when I went to the village, I learnt that the lad had been buried on the night he died.

Were

Were any other party, excepting Dulleeya and his wife, permitted access to the place where this lad was placed under the Arabs' guard?—Excepting the above-named persons, no other had access to the place.

This lad, whom you had seen, did he appear like the son of kollee, or how?—The lad did not look like the son of a kollee, but handsome.

Who used to disburse the expenses necessary for the lad's subsistence, &c.?—I never disbursed these expenses; but if the patells, &c., used to do so, I know not.

Regarding the present case, have you ever given in any deposition independently of the present which is being taken?—At the Guicowar Sirkar's, before the punchayet, my deposition was taken; it is true.

What did you state in that deposition?—Whatever at the time I recollected I deposed to.

(signed) *Hurjeewun Ghowtumram.*

Examination continued.

Question. What you have deposed to formerly before the Guicowar Sirkar, as well as what you have at present stated in your deposition, have you spoken from your own personal knowledge of the facts, or have you been instructed to do so by others?—*Answer.* The facts which I was personally acquainted with I have stated, both before the Guicowar Sirkar and in my present deposition.

(signed) *Hurjeewun Ghowtumram.*

18.

TRANSLATION of the Deposition on oath of Wiswanath Vunmallee; Religion, Hindoo; caste, Sonee Tragur; profession, Goldsmith; aged 48 years; Inhabitant of Baroda; made before the Resident, on the 17th July 1850.

Question. BABA NAFRA took the son of Joitabaee Settanee to the "warree," where you took off the ornaments from the child's body, and the child was afterwards made over to Tullaveeya Dujabeea, &c., of Amleeyara; state what you know about this affair?—*Answer.* About three or three and a half years ago, I do not know the date, but one night, Baba Nafra's man came to me (whose name I do not know), and said that Baba wanted me. On this I went to the "warree" of Hurry Bhugtee, and on asking where Baba was, I was told to sit down, and that Baba was coming. I, and the man who came to call me, sat down. About half an hour afterwards, Baba Nafra, Bhugwan, Seetaram, &c., sepoys, with the boy and the wet nurse, came there. Baba desired me to remove the ornaments from the child's body. On this the wet nurse, Bhugwun, with the boy, came to me. I then removed the ornaments, and delivered them to Bhugwun; and after taking leave, I returned home. What was afterwards done to the boy I do not know.

What were the ornaments on the body of the child?—He had gold bangles and sankla on his wrists, gold ear-rings and gold kundora; he had a gold "sangla" on the neck, and silver toras in his legs. I took these off and delivered them.

Whose son was he?—Joitabaee Settanee's.

What was the object of Baba in taking the child out at night to the "warree," and there taking off the ornaments; do you know anything about it?—I do not know for what reason the ornaments were ordered to be taken off from the child's body. As Baba Nafra was mookhteear, and I being a sorree of Hurry Bhugtee's house, I was desired by Baba to remove the ornaments from the boy, which I accordingly did.

How do you make out that the boy was Joitabaee's son?—When Joitabaee was delivered of a son, thousands of rupees were expended on the "barsa" (the twelfth day after the birth of the child). He was promised in marriage to the daughter of the goomashta of Gopalrow Myral's. From this I speak the truth that the boy was Joitabaee's son.

How was it decided that the boy was that of a kolie, and how did this occur?—As Baba Nafra was "mookhtyar," he knows best what had been done by him to make the child pass off as a colie's; from going frequently there for the purpose of making ornaments, I knew the child to be Joitabaee's son, and I have deposed accordingly.

As you were called before the punchayet, held at the Durbar, for instituting inquiries regarding the boy, state if you there made any deposition, and to what effect?—I was not called, nor did I give my deposition. Having now been called by the Resident, and questioned, I have deposed all that I know on the subject.

(signed) *Wiswonath Vurwallee.*

19.

TRANSLATION of the Deposition on oath of Atmaram Lukmeedass; Religion, Hindoo; caste, Lohal Goozerattee; profession, Brass-smith; aged about 40 years; Inhabitant of Baroda; made before the Resident, on the 17th July 1850.

Question. BHUGWAN has deposed that the son of Joitabaee Settanee was living at her father's house, and that he went to the room where the child and the wet nurse were, but as it was locked, he sent for a blacksmith, and broke open the lock and took the child and the

wet nurse to Baba Nafra; state all that you know of this affair?—*Answer.* About three or three and a half years ago, the date not known, but one night a Poorveea came to my house, and said that a lock is to be opened, and wished me to come and do the job as Bhugwan and Seetaram are sitting at Bhanabhee's. On this I took my implements, and went with the Poorveea to Bhanabhaee's house, where Bhugwan and Seetaram were sitting; they desired me to open the lock of the room, but I could find none on it. I told Bhugwan there was no lock on the room, but it is chained from inside. Bhugwan desired me to break the nakoocha (the staple) from outside, which I did, and then opened the door; afterwards I returned to my house. Bhugwan and others entered the room, and carried the boy and the wet nurse to the Shett. This is all I know.

Whose son was he?—Joitabaee Settanee.

As the boy was at his grandfather's house, why was he taken away by force; state all that you know?—I do not know anything about it.

Bhugwan mentions your name as "Hutheeala," and you write "Atmaram;" how is this?—My original name is Atmaram, but the people calls me Hutheea.

As you are a resident of Baroda, living under the jurisdiction of the Guicowar government, is it customary among you to go and break open the lock or chain of a house without the permission of the Kotwal or the Sirkar?—Without the orders of the Sirkar, it is not customary to break open a lock; but if the owner of the house comes and desire it, the same is done by us. But this chain was broken in consequence of Bhugwan and others telling me that Baba Sahib had ordered it, so I broke. The reason of this is, that I do all iron works for the firm of Hurree Bhugtee, consequently, by order of Baba, I broke the nukoocha.

(signed) *Atmamaram Lukmeedass.*

20.

TRANSLATE of the Deposition of Woman Gunga Lonasee, Hunmuntrow's daughter; Religion, Hindoo; caste, Marratee; occupation, Domestic Servant; aged about 30 years; Inhabitant of Baroda; taken before Colonel J. Outram, Resident at Baroda on the 18th of July 1850.

Question. YOU were engaged as wet nurse to the son of Joitabaee Settanee, therefore you are required to state the particulars when this child was born, when you were employed, and all that transpired?—*Answer.* About four or four and a half years ago, the day and date I do not recollect, but one day Joitabaee's father, Bhanabhaee's servant, named Dhajee, came to call me, and I went there, when Bhanabhaee's wife, Ladbaee, told me that her daughter Joitabaee's son was about one and a half month's old, and her daughter having but little milk, the child appeared unhealthy, therefore I had better remain as wet nurse to the child. Having heard which, I remained, when my pay was settled at three rupees per mensem, and I was to be found in victuals and clothes; and these terms being settled, I remained in service, and commenced suckling the child, and continued doing so for about six weeks or two months, when finding my milk also failing me, I made the same known to Joitabaee, upon which she engaged another wet nurse, named Khooshallee, and I also remained. Khooshallee used to suckle, and I used to nurse and wash the child, and also attend upon Joitabaee Settanee, until the child was about five months old, when Joitabaee, with the son, removed from her father's to her husband's house, and took myself and Khooshallee with her, and until the child became a year and a quarter old. On some occasion, the wet nurse, Khooshallee, myself, and the other servants, used to take the child over to Bhanabaee's, and thus the child commenced remaining at Bhanabaee's; upon which Baba placed a guard upon Bhanabaee's house, and about midnight Baba Nafra bid me not to make the same known to Joitabaee, but that Seetaram Jemadar and Bhugwan were going to bring away the child from Bhanabhaee's, and that I should go along with them, and tell them that Joitabaee Settanee had sent for the child, therefore that they should give him up; when I told the Baba that I would not go without acquainting the Settanee; but without heeding my words, and without permitting me to see the Settanee, he forced me to go. Still I refused to go, when, by the orders of Baba Nafra, Seetaram, by shoving and pushing, compelled me to go; therefore, us three went to the house of Bhanabhaee, and said that Joitabaee Settanee wanted the child, when Bhanabhaee said that Joitabaee did not send for the child, and that he would lose his life, but not permit the child being taken away. He thus expressed himself; but Bhugwan and Seetaram Jemadar sent for a blacksmith, who broke the staple off the door of the room in which the child and his nurse Khooshallee was confined, and took them away with them to the garden of Hurree Bhugtee Sett, and I went to my mistress, Joitabaee Settanee, at which time also, Baba Nafra cautioned me against informing the Settanee Joitabaee of what had transpired. After thus cautioning me, the Baba also proceeded to the garden, when I secretly informed Joitabaee of all what had passed; upon hearing which, she began weeping and beating her head and breast, and became much distressed, when I consoled her, and she became more collected; but for two days she eat nothing, when I coaxed her, and got her to take sustenance. And in consequence of constantly attending upon the child I became very much attached to him, and the child was a very handsome white-coloured boy, and his features resembled very much those of his mother, Joitabaee, and his eyes also were large. According to the above are the particulars which I recollect.

When the child and his nurse, Khooshallee, were conveyed to the garden, what took place there?—Khooshallee informed me that the child had been forcibly taken from her, and delivered

delivered over to some kollees by the Baba, at which time the child would not leave his nurse, and cried very much; but that Baba forcibly snatched him from the nurse, and gave him to the kollees; and when Khooshallee was giving me the above details, the Settanee also heard it, and began afresh to weep and lament very much, and I again consoled and kept her quiet. Thus did it take place.

Had the Settanee Joitabaee milk, or not?—She had milk, but little, therefore was I engaged; the other wet nurse, who was employed with me, died about a year ago.

Did you give in your deposition before the Guicowar Sirkar?—Yes, I gave in my deposition before the Guicowar Sirkar, in which I have made the same statement as above; this I recollect well.

(signed) *Gunga, Woman.*

21.

TRANSLATION of the Deposition of Dhoodee Woman, the Wife of Tullaveeya Dulleeya; occupation, Management of Household Affairs; Religion, Hindoo; caste, Tullaveeyan; aged about 35 years; inhabitant of the village of Amleeyara, of the Baroda Purgunnah; taken before Colonel J. Outram, Resident at Baroda, on the 20th day of July 1850.

Question. BABA NAFRA, who kept you and your husband in the garden of HurreeBhugtee, and gave to him a child, state whose child this was, and all the particulars connected with the above transaction?—*Answer.* About four years ago, the day and date I do not recollect, but one day myself, my husband, and Jooria were sent for, and for about 15 days located in Hurree Bhugtee's garden by Baba Nafra, who afterwards brought with him Joitabaee Settanee's son, at night, in this garden, and told both my husband and myself to take money and say the child was ours, and take him away with us; and having said so, he was giving the boy to us, but we refused to take him, upon which he forcibly gave us the lad and money also to my husband, which having received we were furnished with an escort, upon which we returned to our village where Mehta Hurjeewun resides, who, for fear of my husband and Jooria accompanying, took security from both, after which we went to our home. Two or three days after this former, five Arabs arrived from Baba Nafra, who desired that the child should be taken and we should go with them, upon which I went with them, and they conducted me to an unoccupied house which is situated in our village, and having located us and the child in it, they mounted guard upon it. I used there daily to suckle, tend upon, and cook rice, and feed the child, and when we were there about three months the child was attacked with cholera and died; this news upon being sent to Baroda, Baba Nafra sent people and ordered that the body of the child should be, according to the usage of our caste, buried, upon which I being polluted, I bathed and went to my house, and my husband and others buried the child and returned. Thus did it take place.

Were you sent for before the Guicowar Sirkar, and your deposition taken upon this subject or not; and if your deposition were taken, what statement did you make?—After the death of this child, many months after, myself and my husband were sent for and interrogated, when I deposed as above, but I know not whether they wrote down as I deposed or otherwise.

Did you give birth to this child or not?—I did not give birth to this child. I had five children, the eldest of whom is dead, and the remaining four are present, but this child Baba made us call ours, and by force brought and delivered it to me, and I took him with me.

From what do you know that the child Baba Sahib had brought and delivered to you was the Settanee's son?—The people said that the child was the Settanee's, therefore otherwise, being a woman, how was I to know?

How old was the child?—The child was about two years old, and used to talk and go about.

You state that after the Arabs located you and the child in the said secluded house in your village, the Arabs mounted guard upon it, but were any other person permitted access?—Myself and the child only were located in the house, and the Arabs would permit no other body to enter it.

(signed) *Dhoodee, Woman.*

Examination resumed the same day:

Question. The four children who you say you have, state their respective ages, the period intervening between their respective births, and whether you ever had twins?—*Answer.* I never had twins, and about 18 months intervened between the birth of each of my four children, therefore the eldest son must be about five years old, and the one elder than him is dead.

(signed) *Dhoodee, Woman.*

Further examination:

Question. You state above, that the child given to you by Baba is dead; state how many days he was ailing before his death?—*Answer.* He was taken ill in the morning, but slightly; in the afternoon he became worse, and at the time the cattle return from pasture he died.

Are you sure that the child had nothing administered to him to cause his death?—No, cholera was at the time raging in the village, and the child being attacked by it he died.

(signed) *Dhoodee, Woman.*

22.

TRANSLATE of the Deposition of Dada Meeya Chata Meeya; Religion, Mahomedan; caste, Mirza; occupation, Sepoy; aged about 28 years; Inhabitant, Baroda; taken before Colonel J. Outram, Resident, Baroda, on the 21st day of July 1850.

Question. WHERE are you employed?—*Answer.* For about the last 10 years I have been employed at Hurree Bhugtee's.

As what are you employed there?—As an havildar to the village appertaining to Hurree Bhugtee.

What particular village are you havildar of?—Before I was havildar of the Amleeara village, and for the last three or three and a half years of that of Gooruyada.

What do you know about the disturbance about Joitabaee Settanee's son, that you should state?—About three years ago, the day and date I do not recollect, but during the time I was havildar of Amleeyara, then one day Baba sent for me and directed me to say, that the lad with Joitabaee Settanee I had purchased and procured for her; when I answered the Baba, that I knew nothing about the procuring of the lad, therefore how could I falsely state that I had purchased and procured the boy? When I said thus, the Baba appeared not to be satisfied, and wanted by force to make me state as above, for which reason I used to avoid being seen by him; but one day I was seated at Synd Nana Meeya's house, when about 40 sepoys sent by Baba came there, surrounded and compelled me to come before Baba's presence, when I was at once placed in confinement, deprived of subsistence, and required to depose falsely: that the lad with Joitabaee Settanee had been by me purchased for 100 rupees from the Amleeara Tullaveeya; and further, I was required to promise to publish the above falsehood in the city; the above I was required to do, but as I could not bring myself to state such a falsehood, I would not consent. After which Batteeya Nurbo came to see me, and I became sorry upon seeing him, and requested him by any means to bring about my release, on which account Nurbaram went to the Baba, and soon after I also was sent for and my deposition commenced being taken, in which also I denied having purchased and procured the lad, but by force they made me put my signature to a deposition written out by them, and Nurberam and others were called upon to attest this deposition as witness; the statement I at the time made, Nurberam being at the time present, he will depose to; and as for myself, to be released from confinement I agreed to whatever was written. Afterwards, the next day, Baba Sahib sent for me to his own house, and got me to give in a further deposition, and again a third deposition was taken from me, yet I was not released, but told that if I consented (promised) not to state before any one that the depositions were exacted from me by force, I would be released from confinement, and that if I did not consent to the above, that I would be placed in irons at the Chubbootra. When I was told as above, I replied, that by force he had exacted the depositions, and got me to state what he pleased, but when I met with any one having more power than what he had I would confess the truth, and in consequence of having expressed myself as above, I was again placed in confinement and was further oppressed. I at last agreed to his proposition not to tell any one that the depositions were exacted from me by force, &c.; at this time being attacked with cholera, and near death, Baba sent for my father-in-law, and told him, that as I was very ill and likely to die he should take me to his house; having been so directed, my father-in-law conveyed me to his house, and about two or three months afterwards I became well enough to go about, upon which Baba sent for and appointed me as havildar to the village of Gooreeyad; wherefore I went there, and about 15 days afterwards he sent for and told me, that I would be required to give evidence before the Guicowar Sirkar, therefore I should depose there as I had already deposed before him. Having thus instructed me, he took me to the Guicowar Sirkar, where I was interrogated about this dispute about this lad, when I told them that all I knew on the subject Baba Sahib had it down in writing, therefore they should take it down from him, and having repeated the same, they took it down in writing. Such is my statement.

You state above, that you were instructed to make your former deposition; did you receive any remuneration from having done so?—When I was appointed to the havildarship of the Goreyad village, I was presented, through Bhugwan Muzmoodar, with the sum of 65 rupees, and after which I gave in my deposition before the Sirkar. A further sum of 350 rupees, through Killeedar Bhaeejee, was given me on account of wedding; thus, in all, the sum of 415 rupees was given to me.

For the repayment of the above money, was any writing taken from you?—This sum was given me for having given false evidence, therefore it was not to be repaid, and no writing taken from me.

A paper would appear to have been taken from you, that the lad with the Settanee you procured from the Amleeyara people; for what reason was it taken from you, and what became of the lad?—I know not for what reason the above was taken from me, neither do I know what they did with the boy.

You were directed to attend here about 15 days ago, and you having only presented yourself this day, state what prevented your coming sooner?—When Baba Sahib was under arrest, I went to him for instructions, when he desired me not to attend before the Sirkar, for in the event of my doing so he would cause me to refund the money I had been presented with, and having been so cautioned, hid myself; but having now learnt that my attendance was required at the Residency, and the peons were looking for me, I this day presented myself.

You

You state that Baba Nafra having oppressed, bribed, and forced you, you were induced to give in a false document, and which you again repeated before the Guicowar Sirkar, on which occasion it was proper for you to have complained and given in a true statement; why did you not do so?—Baba Sahib was present with me and my situation was in his hands, therefore I feared, should I have stated the truth, being deprived of my situation and again imprisoned as I had formerly been; entertaining this fear, I was induced to conceal the truth.

You state, that in consequence of being instructed by Baba Nafra, and from fear, you made a false statement before the Guicowar Sirkar, but at present have you been bribed or instructed to give in a false statement?—I have been tutored by no one here, and according to what transpired I make a true and faithful statement.

Where at present is Joitabaee Settanee's son?—I being engaged in the discharge of the duties of havildar at Gooreeyad, I know not where the lad is.

How many days were you imprisoned with irons?—For two days.

What statements were taken from you on the three occasions in question?—The statements at the time made by me on two occasions I do not recollect, because being in confinement and labouring under anxiety of mind, I used to sign whatever statement was brought to me.

You state, that you received 350 rupees on account of your wedding, and from your deposition it would appear that you had been married before; how do you explain this?—It is true that I had been betrothed, but I got married after the receipt of the above sum of money.

You have deposed to what the Baba had cautioned you against disclosing, therefore state whether you consulted the Baba about making the present statements?—Baba Sahib being at present in confinement, how could I get to him to consult with him; therefore without consulting him at all, I truly depose to all the facts which transpired.

The depositions which Baba Nafra on these several occasions obtained from you, state whether these depositions were taken down with his own hands, or by those of another?—Twice he got another party to take it down, and once when the Arabs took me then he wrote it down with his own hands.

(signed) *Havildar Dada Meeya.*

23.

TRANSLATE of the Deposition of Nurbheyram Doollub; Religion, Hindoo; caste, Batteeya; occupation, Solicitor; aged 68 years; Inhabitant of Baroda; taken before Colonel J. Outram, Resident at Baroda, on the 21st day of July 1850.

Question. WHAT you know about the son of Joeeteebaee Settanee, and on being given by Baba Nafra to the Amleeyara Tullavree, you are required to state.—*Answer.* About three years ago, in this affair, about 50 sepoys, sent by Baba Nafra, were surrounding Havildar Dada Meya, which Dada Meya, opposite to the Buldavejee's Temple, was seated in the house of one Syeed Nana Meya, from which place, about nine o'clock at night, they secured and took him to Baba Nafra. I reside opposite to the house of the aforesaid Nana Meya, whose wife requested me to ascertain where Dada Meya was confined, and what had been done to him; upon which I went to Baba Nafra, at the shop of Hurree Bhugtee, where I saw Dada Meya under the charge of some Arabs, which having seen, Dada Meya commenced crying, and desired me to use every endeavour in my power and secure his release; upon which I requested him to depose to what he knew, and that Baba Nafra would release him. After saying this I went to Baba and told him what had transpired, when Baba said that Dada Meya would be sent for; and after so saying he sent for Dada Meya, and by force got him to give a deposition, in which it was written that Dada Meya, from the village of Amleeyara had purchased a boy, and brought and gave it to Joeetee Settanee; but Dada Meya plainly said that he knew nothing about the obtaining of the lad in question. Thus was he saying, but by force the deposition was taken; and having written in the deposition the Dada Meya had purchased the lad from Amleeara, and given the boy to the Settanee, they by force got him to put his signature to it, and I was also by force made to attest this deposition as a witness. Thus much I know. After this Baba engaged Dada Meya as a servant, and sent him to a village as havildar, and the money which had been promised to Dada Meya was given, and he got married.

Do you know to whom Baba gave the son of the Settanee?—Excepting what I have above stated, I know nothing further.

Did Baba Nafra give you anything?—Thirty-five rupees I got first; after which, through Bhyjee, I received 14 rupees, a turban, valued 10 rupees, Baba presented me with, as also 6 rupees for the purchase of a choolee; according to the above have I received, and nothing further.

(signed) *Batteeya Nurbheyrum Doollub.*

24.

TRANSLATE of the Statement of Wujjoobhaee Wullubdass (Mahaluximeebaee's Father) before the Resident, on the 1st of August 1850.

Question. WHAT is your employment in the firm of Hurree Bhuktee?—*Answer.* Bachurbhaee Sett married my daughter Mahaluximee, and I used therefore to live near his house, and make myself generally useful.

As you live in his house, state what you know regarding an item of 20,000 rupees, which appears in the "leetee khata" choupras of 1901, as given over to Hurree Khismutdas?—Bachurbhaee was alive at that time, and I used not to be often with him; therefore I don't know much of the business.

In what year did the Sett die?—In the month of Bhadurwa (September) 1901.

In the accounts of 1902 to 1906, which have been examined, there appear thousands of rupees in the "leetee khata;" state why this is, and to whom the money has been paid?—Baba Nafra never consults either my daughter or myself; because Bachurbhaee had appointed him "mooktiar" he used to take away thousands of rupees day and night; when I asked the reason he would ask what business was it of mine? that he would do as he pleased; therefore I know nothing about it.

After Bachurbhaee's death your daughter became the head of the firm: how was it that you, living with her, allowed money to be taken away without her consent?—Baba Nafra did not at all look upon my daughter as the "mooktiar," and spent thousands of rupees, as if he was himself the "malik."

What do you know about Joetabaee's child, which was pronounced by Baba Nafra to be that of a kollee, and given back?—Baba never consulted either my daughter or self regarding this business; he was "mooktiar," and did as he liked; he may have given the child to a kollee, but he must know.

Whose child did he (Baba) pronounce it to be, and to whom did he give it?—I know not; Baba knows.

On the 5th August 1850.

Question. On the 4th and 11th July Baba Nafra sent petitions to the Bombay Government in the name of the Settanee: did he consult either your daughter or self on the subject before doing so?—*Answer.* We know nothing about these petitions; but two or three days after Baba was placed in confinement his son came secretly to the Settanee's house, and his two other sons, Appa and Tatiah, brought a paper, which they told me to sign quickly, as it was of consequence; I therefore signed the first petition in the name of Mahaluximeebaee.

Did you read the paper you signed and what was written in it?—No, I did not read it, and don't know what it contained. Regarding the second petition, which Baba wrote, I know nothing, and did not sign it. I don't know whether Baba forged my signature or not; he never consulted either my daughter or myself about it.

Did neither of you even ask Baba his reasons for squandering the wealth of the firm?—When Joetabaee forbid his opening the big treasury, everybody knows the treatment she received at his hands; so what was the use of my saying anything?

When Bachurbhaee was taken ill, and gave Baba Nafra a writing appointing him mooktiar, were either you or your daughter present?—No; neither of us were present; and we did not know anything about it till after Bachurbhaee's death, when we heard of it from Baba Nafra; since then Baba has been carrying on the business of the firm as he thinks proper, and nobody could say anything to him on the subject.

25.

TRANSLATE of the Statement of Ambursing Hurreebhaee, Thakoor of the Village of Meetapoor, Pergunnah Neriad, before the Resident, on the 14th August 1850.

Question. IN the month of Mhah 1903 (February 1847) did one Lulloo Bhugwan, of Baroda, visit you; if so, state for what purpose?—*Answer.* In the cold weather of 1903, I forget the date, this Lulloo came to my house in a cart, accompanied by a jemadar, named Jussoo, and 10 men, and asked me to find a father and mother for Joetabaee's child; and on my asking how this was to be done, he replied, that if I would manage it he would give me money. My karbharee, Rungjee, was on one side sick. At night they all slept at my house, and on rising next morning Lulloo Bhugwan repeated his request, that I would procure feigned parents for the child. I fell in with Thakore Jeetbhaee, my brother Jeebhaee, and Gosaie Gunghur, and consulted with them on the subject; and we sent for kollee Rugoonath and his wife, Ruliat, of the village, and promised to give them 100 rupees if they would take the child, which they agreed to; after that kollee Gumeera Mhowsing came, and we appointed him the pretended uncle of the child. All the parties above-mentioned and I agreed then to return with Lulloo to Baroda. My karbharree, Rungjee, also went with us. On the third day after their arrival in Meetapoor we halted at the village of Sowlee for the night, and next day went on to Baroda. Lulloo Bhugwan and the rest of us alighted near Veeneerum's house in Rowpoora, and Lulloo went to his house. Next day Lulloo came to me and told us to accompany him to Hurree Buktee's house, where we all went, and arrangements were made for our food; Lulloo then went away. We remained five or six days there, and Lulloo visited us daily. One day Baba Nafra came with Lulloo, and said that they had brought

brought a paper in Bhanabaee's name, assuring to pay Kollee Rugoonath 200 rupees a year on account of the child, which was to be taken to Bhanabhaee's, and the money demanded, and thus excite suspicion. After saying this, they gave the false bond, which Rugoonath, I, &c., took to Bhanabaee's and asked for the money, but we were only abused, and the door shut against us. We then went to Hurree Buktee's firm, and complained to Baba Nafra, who took the bond and gave Kollee Rugoonath 100 rupees; we then returned home, and it was reported in the town that the child was a kollee's.

Did you receive any money for the business?—I only received 100 rupees.

Was your karbharree with you when you went to Baba Nafra's?—No, he was sick, and remained in the warre, and the rest of us, after going to Baba's, returned direct to our village. My karbharree came afterwards, and I told him all that had taken place.

Are you sure it was Hurree Bucktee's garden where you resided?—I don't know whether it was Hurree Bucktee's or Baba Nafra's, but it was a garden.

Have you ever given your deposition before the Durbar; if so, was it to the same effect as what you have now stated?—Yes, I made a statement before the Durbar, according to Baba's instructions; but how can I remember what I said.

Did any one instruct you to make the statement you have now given?—No; I have made a true statement, of my own free will; being a subject of the British Government, if I made a false statement I should be an offender.

Then why did you make a false statement before the Durbar?—To forward my own interests.

Where is Ganghur Gosaie?—He died last year, in the month of June.

How many rupees were given to your companions in this business?—Jeetibhaee and self received 100 rupees each, and kollee Gummeera and my brother Jeebhaee received 25 rupees each. I don't remember any more.

It is now about a month since I wrote to Kaira for you to be sent here: what has occasioned the delay?—When the jemedar came to call us I was at another village, and when on my return I was preparing to start Rowjee Karkoon came, and after him the Neriad Kamavisdar; I got here six days after I was called, and did not delay.

Where are Rugoonath, and his wife Ruliat?—It is 15 days since Ruliat is gone in search of her husband Rugoonath, who ran away on account of the cholera appearing in the village. I had sent men in search of him also, and expect him to-morrow.

26.

TRANSLATION of the Deposition of Jeebhoy Hurrybhoy; aged 32 years; Inhabitant of Meetapoor, Purgunnah Neriad; made before the Resident at Baroda, on the 14th August 1850.

Question. ABOUT the year Sumvut 1903 (A.D. 1847), Lulloo Bhugwan, Goomashta of Hurry Bhugtee, went to your village, and if so, state what all occurred there?—*Answer.* About the year Sumvut 1903 (A.D. 1847), the day of the week and month not known, one day Lullo Bhugwan and others came to my brother Umersing's house, and having seated one side, asked my brother whether he could get persons to become parents to the son of Settanee Joetabaee, and if so he would be well supplied with money from Baroda. Afterwards thakoor Jeetsing, gosaeen Gangur, kolie Guman, &c., came there and joined the rest, and after consulting together they determined that kolie Rugnath, Puthoa, of my Vas, should be the father, and his wife Ruleeat mother, and Gooman uncle to the boy. Accordingly they sent for kolie Rugnath and his wife, and gave them great assurances, and desired them to become the parents of the boy, that they would receive money for doing so, and that they need not fear anything. The next morning we all, including Lulloo, started for Baroda, and halted at Savelee; the following day we left the place and came to Baroda, but as it was night, we put up near the huvalee of Veeneeram, which Lulloo had provided for us, and told us that next day he would prepare another place for us; after this Lulloobhoy and others went to their house, and we all went to sleep. The following morning Lulloobhoy and others came and said that he has prepared another place for us, and so saying he took us to a garden, where he made arrangement for our food. We remained there about seven or eight days. One day Baba and Lulloo came to us with a written paper, and said that by it kolie Rugnath will receive annually 200 rupees on account of the boy, and to take this paper to the house of Joeteebaee's father and create hubbub, by saying "that the boy is his," therefore to pay the money, otherwise to give "back the boy;" so we were desired to act. After giving this paper to us, we told Baba that we are subjects of the British Government, and if we are placed in difficulties what shall we do? Baba replied, that we should not fear anything as regards the Gaekwar Sirkar. After saying this he went away. The document having been given to kolie Rugnath, Umersing Jeetbhoy, and myself took the kolie and his wife, &c., and went to the house of the father of Joeteebhaee and created a hubbub, by saying, to give up the boy, or otherwise to pay the amount according to writing. On this lots of people assembled to see the tumusha. The inmates of the house of Joeteebaee's father closed the door, but would not say a word to us. On this we all went to the shop of Hurree Bhugtee, and desired Rugnath to tell Baba to pay the amount which was agreed to be paid annually to him, according to a writing given to him; if not, to make over the boy. On this Baba took away the paper from Rugnath's hand, and gave him 100 rupees. We all then left the place. Afterwards thakore Umersing, myself, and others went to Baba and asked him what

he would give, when he gave thakore Umersing, and Jeetbhoy 100 rupees each, and to me 25 rupees, to Gooman 25 rupees, and to Rungjee, who came with us, 25 rupees; but nothing was given to Goosaeen Gungur, who accompanied us.

Who all came first to Baroda from your village?—Thakore Umersing, Jeetbhoy, myself, karbhare Rungjee, kolie Rugnath, his wife Ruleeat, Guman Mowsing, and Goosaeen Gangur, of Soondulpurra.

Where are now Gangur, woman Ruleeat, and kolie Rugnath?—Gangur died last year, and Rugnath ran away on account of the cholera, and it is about 15 days since his wife is gone in search for him.

Was your deposition taken before by the Gaekwar Government?—Yes, my deposition was taken by the Gaekwar, but I do not recollect what I had deposed in it, because I then stated all what Baba had advised me to say.

What you are now deposing, is it by the advice of any one, or how?—I have not made this deposition by the advice of any one, but have stated all what had occurred. Being a subject of the British Government, how could I tell a lie before the Saheb?

Why did you tell a lie before the Gaekwar Government?—Baba having told me what to say; besides, temptation being shown to me, I made a false deposition.

What is the reason that so much delay took place in coming here, as you were desired to come quickly?—When a man from Neriad came to dispatch, the thakore of our village had gone to some other village, afterwards the brother of the kumavisdar came there on this account; in the meantime the thakore himself arrived, as also the kumavisdar, and desired us to proceed to Baroda quickly; and from the day the kumavisdar's man first came there, it took us seven or eight days to come to Baroda, and this delay is owing to the absence of the thakore from his village.

27.

TRANSLATION of the Deposition of Rungjee Bheeka; aged 40 years; Inhabitant of Meetapoor, Purgunnah Neriad, Karbharee of the Thakore; made before the Resident at Baroda, on the 14th August 1850.

Question. IN the month of Magh, of Sumvut 1903 (February 1847), Lulloo Bhugwan, goomashta of Hurry Bughtee, went to your village; and if so, state what all occurred there?—*Answer.* About the year Sumvut 1903 (A.D. 1847), either in the month of Magh or Falgoon (February and March), the day of the week and month not known, as I was laying down one day at Thakore Umersing's, on account of my indisposition, Lulloo Bhugwan and Jemedar Jussoo, of Savelee, and about ten others, came there, and put up in the house of my thakore. Lulloo and the thakoor went aside and sat down and called me; but as I was sick I did not go. After they had talked together, the brother of the thakoor, by name Jeebhoy, and the thakoor of Jussapoora, by name Jeetbhoy Puggy Gooman Mowsung, also kolie Rugoonath, of my village, and his wife Ruleeat, and Gosaeen Gangur, of Soondulparra, were sent for by the thakore, and they all got together and conversed with Lulloo Bhugwan; but what it was I do not know; as I was sick I did not join them. The second day, in the evening, the thakore and Lulloo Bhugwan told me that I must go to Baroda, when I said, "I am sick, therefore how can I come?" Lulloo Bhugwan said he would take me in his gharry; still I declined to go. The thakore then told me that as I am his karbarry, why should I refuse going, but that I must go with him. On this I consented to go. The following afternoon all the above-named persons, Lulloo Bhugwan, his people, and myself, started for Baroda, and halted for the night at the dhurumsalla of Savelee, where no conversation took place in my presence. The next morning we left that place for Baroda, and arrived at the village of Hahonj, and halted at a place of worship near the tank, where we had our meal. After leaving this place, we arrived in Baroda about eight o'clock at night, and Lulloo Bhugwan got us a place to put up near the huvalee of Veeneeram, in Rowpurra, and said that next morning he would provide places for us in the "warree." Lulloo Bhugwan and his people then returned home, and we went to sleep. The next morning Lulloo Bhugwan came to us with two or three of his men, and took us to the warree of Hurree Bhugtee and kept us there, and got beds and food for us; after this he went home. We all remained there about seven days; but Lulloo Bhugwan used to visit us daily and speak to all the people of Meetapoor. As I was sick, I used to lay down. On the last day, Lulloo Bhugwan and Baba Sahib came to the warree and told the thakore, kolie Rugnath and others, that he had brought a written paper, to the effect that the father of Joiteebaee purchased from koolie Rugnath, his son, for 200 rupees, which sum he would receive annually, and desired us to take this paper, which koolie Rugnath took, and that he was to go, the following day, to Joiteebaee's father's house for the money, and thus expose the whole affair; after which we were to return to our home. Baba and Lulloo, after saying this, went to their house. All this I heard while I was laying down, Rugnath then showed me the paper. The next day, after taking our meal, thakore Umersing and all the others went to Baroda with this false document for the recovery of the money on account of the boy, but I remained in the warree. The next day Lulloo Bhugwan sent his gharree for me, and sent word by the driver that I should go home in it, as the thakoor and others had gone direct. On this I returned to my house in the gharry; and on asking the thakore and the others what they had done, replied that they went to the city to recover money from Bhanabhoy; but who, without saying a word, closed the door upon them; so they went

went to complain to Hurry Bhugtee, and explained the matter to Baba Nafra, who took away from Rugnath the writing Baba had given him, and gave him 100 rupees, which he brought to the village; and a report had spread in the city that the son of Joeteebaee was that of a kolie.

Did you receive any money on this account?—I received 25 rupees, thakore Umersing 100 rupees, thakore Jeetbhoy 100 rupees, Gooman 25 rupees, and Jeebhoy 25 rupees.

You state you all had put up in a dhurumsalla, in Saveelee village; and Lulloo says that they put up at Lalbhoy's of that village; how is this?—It is true we put up at Lalbhoy's, and by mistake I said we had put at the dhurumsalla.

Where is Gangur Gosaee?—He is dead.

What did you say in your deposition before the Gaekwar Sirkar?—I was about to depose all what I have above stated; but the punchayet who were there said to me, "Listen; acknowledge and sign all what we would write." So the punchayet wrote down what they thought proper, and desired me to sign the paper, which I did,

You state, that at the Durbar what the punchayet had written down, you signed it. Did anyone advise you here to do such a thing?—No one here told me or advised me to do such a thing. What I had to say, the same has been written down.

It is a month since a letter was written to Kaira to send you all here. Why did you not come quickly, and what is the reason of the delay?—The jemedar from Neriad came to despatch us all to Baroda; but as the thakoor of my village had gone to some other village, he was sent for, who came; in the meantime the carkoon of Neriad, by name Rowjee, and the kumavisdar arrived there also, and it was six days from the day we first got notice, that we prepared to leave for Baroda, but we made no delay.

Where is Rugnath and his wife?—Rugnath having ran away, his wife went in search for him. On their return they will be produced.

Does the garden in which Lulloo Bhugwan had kept you belong to Baba Nafra, or Hurry Bhugtee?—I do not know to whom it belongs; but as Hurry Bhugtee's name is great, I stated above, his garden.

28.

TRANSLATION of the Deposition on oath of Jeetbhoy Jallumbhoy; Religion, Hindoo; Caste, Barreea Kollee; Profession, Thakoorda; aged about 42 years; Inhabitant of Jussapoora, Purgunnah Neriad; made before the Resident on the 4th August 1850.

Question. IN the year Summut 1903 (A.D. 1847), did one Lulloo Bhugwan and others, of Baroda, come to your village; if so, state what happened there?—*Answer.* About three years ago, I forget the date, one Lulloo, goomashta of Hurree Bhugtee, and others came to Meetapoor, on which thakoor Amersing, of that place, sent for me, and said that Lullooobhoy is come, and wishes to obtain feigned parents for the child of Joitabhaee Settanee, and that he would pay us well. Afterwards Amersing, myself, Jeejeebhoy, &c. having got together and deliberated on the matter, we decided that kollee Rugoonath and his wife Ruliat, should be the feigned parents of the child. Accordingly we sent for them, and explained the above matter, and taught them to say that the child was theirs. Afterwards I, thakoor Amersing, Jeejeebhoy, kollee Gooman, kolleee Rugoonath, and his wife Ruliat, Gosain Gangur, &c. left for Baroda, and came and halted at Sowlee, and from there we came to Baroda, where we reached at night. Lulloo Bhugwan then said that we should remain that night at the huveylee of Veerieeram, and that the next morning a place would be secured for us to stop. Lulloo and others then went to their respective houses. The following morning Lulloo came and took us to the garden of Hurree Bucktee, where arrangements were made for our residences; we were kept there for six or seven days, and Lulloo Bhugwan made arrangements for our food. Afterwards Lulloo and Baba came there and showed us a writing about Joitabhaee Settanee's son, which they desired us to take, and go along with kolee Rugoonath and others to the house of the father of Joitabaee Settanee, after raising a clamour that the boy is his, and to come to the shop of Hurree Bhucktee, where they would pay us the money. They then gave this writing to kollee Rugoonath. Afterwards we all went, including Rugoonath and his wife, to the house of Joitabaee's father; and Rugoonath said that the boy is his, that if money be not paid, to return the boy to him. On this the inmates of the house closed the door. We then went to the shop of Hurree Bucktee, where Baba Sahib was sitting, and told him either to give up the boy or pay the amount, according to writing. On this Baba snatched the document, and paid 100 rupees to Rugoonath, and despatched him off.

Were any other persons with you?—The karbarry of the thakoor, by name Runjee, was with us.

After you came to Baroda, in whose garden did you put up?—We had put up in a garden, but cannot say with certainty whose it was, whether we had put up in Hurree Bucktee's, or any other person's garden; I do not properly recollect that; through mistake, I mentioned above that we put up in Hurree Bucktee's garden.

How much money did you receive in this business?—I received 100 rupees from Baba, after he paid Rugoonath, 100 rupees to Amersing, 25 rupees to kollee Gooman, and 25 rupees to Jeejeebhoy.

Did you give your deposition before the Durbar?—According to what Baba had taught me, I deposed it before the Durbar; but what I then said I do not recollect.

The deposition which you now made, was it done by the advice of anyone, or that you have deposed as circumstances have occurred?—The deposition now made is according to what took place; no one advised me to say anything, because I am a subject of Khaira zilla, and if I do not speak the truth I shall be punished; I have therefore deposed all that is true.

You have stated that this writing regarding the boy was given by Baba to kollee Rugoonath; state the amount for which the document was given?—I recollect it was about 200 rupees.

Where is Gosaeen Gangur?—He died in Jest of last year.

Where are kollee Rugoonath and his wife Ruliat?—Rugoonath is gone away somewhere, and his wife is gone in search of him, and that a person has been sent to call her, and then she will be here to-morrow; as soon as she arrives she will be brought before the Resident.

It is a month since a letter was sent to Khaira, to call you all; state what has caused so much delay?—The jemedar of Neriad brought a summons to send us to Baroda; but as the thakoor of my village had gone to some other village, a person was sent to call him; pending his return, carkoon Rowjee, from Neriad, arrived at my village, followed by the kamavisdar; but it was six days since we got the order to proceed to Baroda, and there was no delay on our part in coming to this place.

(signed) *Jeetbhoy Jullumbhoy,* Thakoor.

29.

TRANSLATION of the Deposition of Gooman Mowsing, Inhabitant of Jussapoora, Purgunnah Neriad; made before the Resident at Baroda, on the 14th August 1850.

Question. DID the goomashta of Hurry Bhugtee, by name Lulloo Bhugwan, come to your village, in Sumvut 1903 (A.D. 1847), when a dispute was going on about the son of Joiteebhaee; if so, for what purpose, and what happened there, and state all about?—*Answer.* About three years ago (day and month not known) one day I went to thakore Umersing's house, at Meethapoor, where the goomashta, &c. of the Sowcar of Baroda, had put up, the thakoor on seeing me called me in, at which time Umersing Jeejeebhoy and the goomashta, &c. of the Sowcar were sitting far and conversing. Afterwards kolie Rugnath and his wife were called in and were asked to become parents of the boy. They then told me that as kolie Rugnath and his wife had become false parents of Joitebhaee's son, for me to become uncle to the boy; that I was not to fear anything, but that I would get plenty of money. The second day thakore Umersing, Jeejeebhoy Jeetbhoy, kolie Rugoonath, his wife Ruleeat, myself, and Gosaeen Gangur of Soondulpara, together with the goomashta of the Sowcar who had put up at Umersing, started for Baroda, and we put up for the night at Savelee, from thence went to Baroda. As night approached, the goomashta, who came with us, showed us a place to put up, where we all slept for the night. The next morning the goomashta Lulloobhoy came there, and took us to a garden, where he made room for us to stop, who used to send food for us. We remained in this garden about seven or eight days. Afterwards Lulloobhoy and Baba came there, and gave Ragoonath a paper, and told him that this writing was for him about the son of Joiteebhaee Settanee's son, that he was to receive annually 200 rupees on that account; that he was to take this paper to the house of the father of Joiteebaee, and after creating a hubbub, to come to the shop. They then went away. The second day Rugoonath and others all went to the house of the father of the Settanee, and did as they were desired, and then immediately went to the shop of Hurry Bhugtee; Rugoonath, and others told Baba to pay the money according to writing, or if not, to make over the boy to them. On this Baba paid 100 rupees to Rugoonath, but took the paper away from him. We all then returned. Afterwards, when I went with thakore Umersing to Baba, he gave me 25 rupees. He also gave money to the thakore and others; but how much I do not recollect.

Was your deposition taken before by the Gaekwar Sirkar?—My deposition was taken; but what I stated was all what Baba had advised me to say. I do not recollect what I had said in that deposition.

What you have now deposed, was it by the advice of any one?—No, no one advised me to say; but I have willingly deposed all what had occurred.

Where are Gosaeen Gangur, woman Ruleeat, and kolee Rugnath now?—Gangur is dead, Rugnath has ran away, and his wife has gone in search for him, therefore she is not at present in the village.

30.

TRANSLATION of the Deposition of Woman Ruleeat, Wife of Kolie Rugoonath Puthoo; Inhabitant of Meetapoor, Purgh. Neriad; made before the Resident at Baroda, on the 15th August 1850.

Question. BY the desire of the thakore and others of your village you had become the parent of the son of Joiteebhaee, the widow of Beechurbhoy Samuldass; state all the particulars about it?—*Answer.* About three, or three and a half years ago (day and month not known), one day in the cold weather, our thakore Umersing sent for me and my husband, and we found

thakore

thakore Umersing, Jeebhoy Jeetbhoy, Gosaeen Gangur, Gooman, a sowcar from Baroda, and his people, and the karbharry of the thakore, all sitting together. The thakore and others told us that the sowcar has come here to look for persons who would become parents to his master's son; and that if we became, money will be given to us. On this, we being poor people, and covetous for money, agreed to become parents of the child. The second day the thakore and others left for Baroda, and after passing through Savelee and Hahonj villages, arrived there about eight o'clock in the night, and Lulloo showed us a place for our lodging, where we all slept. Lulloo then returned to his house. In the morning Lulloo came and took us to the "warree," and gave us a place to stop, and made arrangement for our food. Lulloo then went home. We remained in the "warree" about seven or eight days; Lulloo used to come to us daily; but on the last day Lulloo and Baba Sahib both came to the warree where we, thakore Umersing, and others were sitting, and Baba said that he has brought with him a false paper, to the effect that a boy was purchased from kolie Rugoonath (my husband) for 200 rupees, and desired us to keep it; and that the second day we were to go to the person whose name is mentioned therein, for the money, and afterwards to expose that person and then to return to our house. After saying this, he delivered the paper in my husband's hand. Baba and Lulloo then went home. The following day we all went to the city with the paper, when Lulloo gave a man to show us the house of the boy's parent, where we went and asked for the money of our son who was sold to them, but not paying us any money they closed the door on us. On this a great number of people assembled. We all then went to complain to Hurry Bhugtee, where Baba Sahib was, who took away from my husband the paper he had given him in the "warree," and gave us 100 rupees, after which we all returned home. What happened afterwards I do not know.

Where is your husband Rugoonath?—He ran away about three months ago, in consequence of cholera having appeared in the village. I went in search of him, but could not find him, therefore returned; whether he is dead or living I do not know.

Was money paid to any person besides the 100 rupees paid to your husband?—Being a woman, I do not know.

To whom did the "warree" belong, where you had put up?—I do not know to whom the warree belongs.

When the Gaekwar Sirkar sent for you, did you give your deposition there or not?—No deposition was taken from me.

Where is Gosaeen Gangur, who accompanied you to Baroda?—He is dead.

Both you and your husband falsely became parents of the boy, but who became uncle to him?—Gooman Bhowsing of Jussapoora became uncle.

Did the kamdar of the thakore, by name Rungjee, go with you to the city?—As he was sick, he remained in the "warree."

Did you sell your son to the father of Joitebhaee Settanee?—We did not sell our son, but being covetous for money, we falsely said that the boy was ours.

How many children have you?—I had one son and two daughters; in all three children. The son attained to the age of 20 years, when he died; but the daughters are living; the eldest has been married. I had two more sons, but they soon died after their birth.

31.

TRANSLATE of the Deposition of Purtaub Dyaljee; Religion, Hindoo; Caste, Barrote; Occupation, a Mendiant; Inhabitant of Sowlee, Purgunnah Baroda; aged 36 years; taken before Colonel J. Outram, Resident at Baroda, on the 15th day of August 1850.

Question. WHAT you know regarding the dispute about the son of Joitabhaee Settanee you are required to state all particulars?—*Answer.* About three years ago, the day and date I do not recollect, but one day Lulloo Bhugwan and others came to my village and said to me, that the lad who had been brought by the Settanee might have been procured from the Meetapoor village, and requested me to inquire about it; upon which I went to the village of Oobeir, Purgunnah Tassra, and inquired of the thakoor whether any one had purchased a lad from the Meetapoor village, and that having heard so, whether any one had sold a lad at Baroda. Then the thakoor desired me to remain at his house, and that he would inquire, and let me know; and having said so, he proceeded to some village, and I remained at his house; afterwards, the same day, the thakoor returned and informed me that it appeared to him that some boy had been taken away from Meetapoor, therefore, if I wanted to inform any body of the same, I should do so, and I accordingly acquainted Lulloo Bhugwan of this news.

For the performance of what business did you receive from the shop of Hurree Bucktee the sum of 500 rupees?—I was imprisoned by the Nawab Sahib, wherefore Lulloo Bhugwan interceded for me with Baba Nafra, and got me released, and retained me at Hurree Bucktee's shop for about a year; after which, on the death of my father, I petitioned him, when, for the purpose of enabling me to perform the usual ceremonies, and, considering me as a mendicant, gave me 400 rupees, and 100 as a loan, for which my acknowledgment was taken.

You state, that having considered you as a mendicant, they gave you 400 rupees, but it is not usual for any body to give such a large amount to a mendicant, unless for the performance of some important business; therefore, what is the truth you should state?—Being poor, the amount was given me.

When was the money given to you?—In Summut 1904, in the month of Powsh (A. D. January 1848). My father had died; then was it given me.

Did the Gaekwar Sircar upon any occasion take your deposition?—Yes; before my father's death my deposition was taken.

What did you state in the above deposition?—I do not recollect.

Whose subject are you?—I am the Gaekwar Sircar's subject.

You state, that to make inquiries about this lad you had been sent to the village of Oobeir to inquire of the thakoor; state what is the name of this thakoor?—His name is Bhugwan Dholjee.

You state that you remained at Hurre Bucktee's for 12 months; state on what business you remained there?—At Baba's requisition being released from the confinement I was placed in by the Nawab Sahib, the Gaekwar Sircar made me over to Baba Saheb, and commanded that I should not be permitted to leave; for which reason I remained at Hurree Bucktee's, and used to get my food also.

On what account were you confined by the Nawab Sahib?—I became security for the patells of the Nawab's villages; and in consequence of an unfavourable season, the revenues became less, and the Nawab Sahib granted certain remissions to them; afterwards the Nawab Sahib sent and demanded the balance revenues to be paid by me, because I had become security, and placed me in confinement.

(signed) *Barrote Purtaub Dyaljee.*

32.

TRANSLATE of the Deposition of Bhugwan Bhowanee; Religion, Hindoo; Caste, Dussa Deessawah Bunian; Occupation, Goomashta to Hurree Bhugtee; aged about 37 years; Inhabitant of Baroda; taken upon oath before Colonel J. Outram, Resident at Baroda, on the 4th day of September 1850, in the presence of Bhow Sahib, his Highness the Guicowar's Karbarrees.

Question. YOU had gone to receive the Settanee, therefore how far did you go, and what the Settanee said to you, you are required to state in detail?—*Answer.* On Shraurm Sood 13th (20th August 1850), myself, Pramanund Shewlall, and Dulput Kessow; thus we three being sent by Mahluxmeebaee to receive Joitabaee Settanee went, and at the village of Chavud, situated on this side of Broach, we met Bhanabhaee, and inquired about the Settanee, when he replied, the Settanee has gone in; have you not met her? We replied, that we had not, and immediately dispatched one of our sepoys with instructions to request the Settanee to wait till we had come up to her; having thus instructed the sepoy, he was dispatched, and one of the hamauls also was dispatched, and myself, &c. sat near Bhanabhaee; afterwards the sepoy and hamaul returned, and they said that they had come up to the Settanee about the distance of a coss, and that they had informed the Settanee that myself and others had come to receive her, and desired that she might wait, when the Settanee, they said, replied, that she would not wait upon the road, but that she intended to make a stay at Tankaria, which she desired that we should come and meet her, and that having thus said, the Settanee proceeded upon her journey, and upon receiving the above information we all got up, and also proceeded to Tankaria, and prostrated ourselves before the feet of the Settanee Sahib, when the Settanee said, "Where is my son; have you obtained any information regarding him?" I answered, "I am but a gomashta, consequently obliged to execute the orders of my moonim (or chief), therefore, agreeably to the orders of the Baba, I delivered the child to the Amleeyara Tullaveya;" upon which the Settanee's face became sad, and became vexed with me, upon which becoming abashed, I could make no reply. This is the particular of what transpired on the road; after which we all together arrived at our homes.

(signed) *Bhugwan Bhowaneedass.*
(In his own handwriting.)

33.

TRANSLATE of the Deposition of Settanee Joitabaee, the Widow of the late Paruck Bechurbhaee Samuldass, aged about 21 years; Inhabitant of Baroda; taken upon oath before Colonel J. Outram, Resident at Baroda, and his Highness the Guicowar's Karbaree, Bhow Sahib being present, on 4th September 1850.

Question. THE case about your son Moteelall is being investigated, therefore you should state all the particulars, from first to last, you are acquainted with in the matter?—*Answer.* About the Sood of Bhadurwa (September 1845), the year and day, being a female, I do not recollect; but at the time of my husband's death I was about five months advanced in pregnancy, at which time I also acquainted the Settjee of the same; but from my not having good luck, my husband died, after which, about Magsur Vud 9th (23d December 1845), I left my husband's, where I used to reside, and removed to my father's house, when the night had advanced about a pore (*i. e.* about 9 o'clock), and about midnight I gave a birth to a son, at which time my mother Ladbaee, and* grandmother Umbabaee, my neighbour Rewa, and Muncha Koovur, and the midwife Jumna, who had been sent for, these women, were present, besides whom, from Hurree Bhugtee's house, the Jhossee Trebowun was by the Baba

* Her mother's mother-in-law.

Baba sent to write out the child's horoscope, and my father's Brahmin, Heematram; these two Jhosses; thus were the people assembled, besides sepoys from my husband's, were with me, and besides, other domestic servants were there. The whole of these were down stairs, and I being up stairs, I do not recollect the names of the rest of the servants who were about, and my father's Brahmin was attending to the gurre (timing of the child's birth); thus were these people at the time collected, and afterwards, next morning, the elder Settanee Mahluxmeebaee sent Baba's wife to inquire after mine and the child's health; and she came, and with her five puttees were by Mahluxmeebaee sent, and two puttees from herself, thus making seven puttees, with goor; she presented, and having inquired regarding my health, asked whether bhaee (meaning the new born) was well, and expressed a desire to see him, upon which my son was shown to Baba's wife, who, after having seen the child, became pleased, and, after remaining for a time, took her leave and returned to her home; thus did it take place.

When from your husband's you removed to your father's house, had you the pains of labour upon you?—For two days before I was suffering from these pains; the second day the pains became more acute, upon which I sent word by the servant Hurkee to the Baba that the pains were increasing, and that he should send me to my father's house, upon which Baba, about nine o'clock at night, seated me in a palanquin, and sending a suitable number of poorbeeyas to accompany me, sent me to my father's house; after which, about two or four guddees, I gave birth to my son Motteelall; thus did it take place.

This child Motteelall being brought forth, did you immediately get a wet nurse for him, or did you suckle him yourself, and get a wet nurse afterwards?—About a month or a month and a half after the birth of my son Motteelall I suckled him myself; after which, being attacked with fever, my milk became less, upon which the wetnurse Gunga was entertained, and subsequently Kooshabee was also employed, who used to suckle the child.

You have above named Jumna as the wetnurse who officiated; state whether this was the party who separated the child's umbilical cord, or was it done by some other person?—Jumna attended to assist at the accouchement, and was the party who separated the child's umbilical cord, and also buried the afterbirth and the naval-string, and did all the other necessary things that were to be done.

Where was the afterbirth and naval-string buried?—I was laying upon my couch upstairs, therefore I know not where these things were buried.

Was this midwife remunerated for her trouble?—What she received from my father's I know not, but a servant was sent to the Settjee's for five rupees, which was given to this midwife; I have learned so, therefore do I state it.

When the child was attacked with small-pox, did you attend at the Bulleeya idols or not?—It is true that I took the child and visited the Bulleeya idol at the village of Pore Vyna.

(signed) *Settanee Joitabaee,*
(In the handwriting of Bhanabhaee Khandass.)

34.

TRANSLATE of the Deposition of Ladbaee, the Wife of Bhanabhaee Kandass; Occupation, Domestic Duties; aged about 38 years; Inhabitant of Baroda; taken upon oath in the presence of his Highness the Guicowar's Karbarree, Bhow Sahib, before Colonel J. Outram, Resident at Baroda, on the 4th day of September 1850.

Question. THE case about your daughter, Joitabaee's son is being investigated, and you are requested to state when and how the child was born to your daughter, and at the time of her delivery what pains she suffered, and who were present?—*Answer.* Joitabaee was taken with the pains of labour at her own house, on which account the next day, after candle-light, a woman who was with Joitabaee came and informed me that Joitabaee was suffering from the pains of labour, upon which I sent word by this woman, that as she was unwell she should come away to my house; having sent this message after the night had progressed about a pore (nine o'clock), seated in a palanquin, Joitabaee arrived, accompanied with a number of sepoys and other people, of which number four remained in attendance upon her, who remained downstairs, and the others returned with the palanquin, and Joitabaee was laid upon a couch in a room up stairs, after which the pains began to increase, and the following persons were present: Jumna, woman, the wife of a barber, Bechureyea; my neighbours Muncha and Rewa; myself; my mother-in law, named Amba; and my niece Maha Koovur; all these females, besides whom the following males, *i. e.* Jhosee Tribhowun, from the house of Hurree Bhugtee, one Brahmin Immatram, who for the purpose of writing out the child's horoscope, was attending to the gurree, were also present; and about midnight the child was brought forth, upon which the Jhossee, having written out the horoscope, went away. After which, word was sent to the Settanee Maha Luxmee, who the next morning sent Baba's wife to inquire; came to my house, and after inquiring after Joitabaee's son, desired to see him; when the child was shown to her she was glad, and said, "My master has got two sons, and my husband learning the same has also become pleased," after saying which, she presented from the Sett's house five puttees, and from himself two puttees and "goor," and returned to her home; thus did it transpire.

When the child was brought forth, who separated the umbilical cord?—The above-named Jumna midwife separated the umbilical cord, buried the afterbirth, &c., which was necessary upon the occasion to be done.

State for what length of time Joitabaee suckled her own infant?—Joitabhaee suckled her infant personally for about a month and a half, after which the wetnurse, Isunga, was entertained, and upon this woman's milk failing, another wetnurse named Kooshallee was also employed.

Were you present when the child's umbilical cord was separated?—I was present, and others were also present.

When this child was born, where were his naval-string and the afterbirth buried, and at the time of these things being buried, who were present?—Opposite to the front of the house of one Shewlall Paruck, there is situated the back part of another house, where it is usual for the parties living in the neighbourhood to bury such things, and agreeable to such practice, I also caused the afterbirth to be buried there, and for the purpose of burying them, the midwife Jumna went, the hole was excavated by the servant Hurka, and the light was held by my relative Muncha koovur. Thus did it take place.

The necessary stimulants and strengthening medicines, &c. which it is usual to administer to a woman after child-birth, who prepared and administered to your daughter on the above occasion?—The condiments and infusions which on such occasion are administered to the females after child-birth, I myself prepared and administered to my daughter, and when I was not at leisure, Maha Koovur used to do.

The drugs, &c. required from the druggist's, where and by whom were they procured and brought?—Joitabaee's father procured and brought them from the bazars personally, and for the reason that they were sent for by some other body, they might have substituted other things; this was done as a security against the child coming to harm.

On the occasion of your daughter being delivered, and the child's umbilical cord being separated, was the midwife who officiated remunerated, and if so, state what remuneration did she receive?—Five rupees was sent for by a servant from the Sett's house, and given to the midwife.

The disbursements on account of medicines, &c. on this occasion, were they made from your private funds, or from what?—From the funds at the Settjee's shop were these disbursements made on account of the child.

Dated 4 September 1850, Baroda.

Examination resumed the same day.

Question. At the time of the Sett Bechurbhaee's death, how many months were your daughter advanced in pregnancy?—*Answer.* At the time of the Sett's death she was advanced in her fifth month, and the Sett also was aware of the fact, and from my daughter's bad luck, the Sett died.

After the Sett's death, in which month was the child born?—On the night of Mag Sur Vud 9, (A.D. 23 December 1845.)

(signed) *Ladbaee,*
at the request of Ladbaee and Bhanabaee, in the handwriting of Bhugwandass Bhowaneedass.

35.

TRANSLATE of the Deposition of Woman Mahakoowur; Religion, Hindoo; Caste, Veesaland; Occupation, Domestic Duties; aged about 22 years; Inhabitant of Baroda; residing in the house of her Father-in-law; situated in Land-Wadda; taken before Colonel J. Outram, Resident at Baroda, on oath, in the presence of Bhow Sahib, Karbarree to his Highness the Guicowar, on the 4th day of September 1850.

Question. WHEN Joitabaee was delivered of a son, where were you, and at what time did you become acquainted with the fact. If you recollect, you should truly state?—*Answer.* When the child was born I was present.

At what time was the child born?—About two guddies after midnight (1 o'clock A. M.)

When you attended on this occasion, did any one come to your house to call you, or did you attend of your own accord, and how far was the night advanced when you arrived there?—Joitabaee Settanee left her husband's and went to her father Bhanabhaee's house, when the night had advanced about a pore or a pore a or half (*i. e.* between 9 and 10 o'clock P. M.). At this time I also accompanied her.

Did you alone accompany her, or were she also accompanied by others?—Many persons, including poorbeeas, and palanquin and torch-bearers accompanied her.

Was the child born on the same night of your arrival, or how?—On the same night was the child born.

Were the pains of labour upon the Settanee when she left her husband's and came to her father's house, or otherwise?—From the morning was the Settanee suffering from the pains of labour.

Were you present when the child was brought forth?—Yes.

Were you alone present, or were other females also present; if others were, you should name them?—One was named Muncha, and the others Ladbaee, Mahakoovur, Revawon, and the midwife Jumna, a guzeratteer; these parties were present.

How long after the birth of the child was the afterbirth voided, and who separated the umbilical cord?—A guddee or half a guddee (24 or 12 minutes) after the birth of the child the afterbirth was voided, and the umbilical cord was separated by the midwife.

Were

Were you in the habit of constantly calling upon the Settanee Joitabhaee?—Yes. I used to remain there, and call also.

Who used to suckle the child?—The wetnurse employed used to suckle the child.

How many days after child being born did the wetnurse commence suckling him?—About two months the Settanee personally suckled her infant; after which, she being attacked with fever, a wetnurse was entertained to suckle the child; and occasionally the Settanee also used to suckle him.

Do you know anything about this child being afflicted with small-pox?—No.

Do you know anything about Joitabhaee Settanee having visited the village of Pore Vynah?—Yes.

Is it not true that you accompanied her there?—I did not accompany her; but I dressed the child on that occasion.

Do you know for what purpose the Settanee went to Pore?—For the purpose of prostrating the child at the feet of the idol "Bullia Kuka."

At what place was the child's naval-string and the afterbirth buried, and who were all present when they were buried, you should state?—Near the abutment of Sewlall Paruck is situated a well, near which the servant excavated a hole, and the midwife Jumna took the naval-string and afterbirth and buried them in that hole, and Muncha held the light, and I also was standing a short distance.

(signed) *Baee Mahu Koovur,*
Wife of Munsook Jugjeewon,

Written by Lulloo Bhugwan, at the desire of the above-named Baee.

36.

TRANSLATE of the Deposition of Muncha, Woman; Religion, Hindoo; Caste, Mod Bunian; Occupation, Domestic Duties; aged about 42 years; Inhabitant of Baroda, residing in the Bazwada; taken upon oath before Colonel J. Outram, Resident at Baroda, in the presence of His Highness the Guicowar's Karbaree, Bhow Sahib, on the 4th day of September 1850.

Question. THAT Joitabhaee was delivered of a son, do you know, and if you do, state at what place you heard of it?—*Answer.* Joitabhaee had come to Bhanabhaee, and was taken with the pains of labour, and about midnight I was sent for from my house, and I went there, and about a gurree or two afterwards Joitabhaee was delivered of a son.

At this time who were all present?—The midwife Jumna, the woman who had just come here; Maha Koovur; as also another Maha Koovur, a relative, who being unwell was asleep; a neighbour named Rewa, who is dead; myself; Joitabhaee's mother, Ladbaee, and Ladbhaee's mother-in-law; the above-named females and two jhossees were also present.

How long after the child's birth did you remain there before going home?—About two or three gurrees.

How long after Joitabaee's confinement did she void the afterbirth, and by whom was the child's umbilical cord separated?—About half a gurree after giving birth to the child did Joitabaee void the afterbirth, and umbilical cord was separated by the midwife who officiated on the occasion.

After Joitabaee's confinement is it not true that you used to frequent her house?—Being a neighbour, it is true that I used to frequent her house.

Were you in the habit of going there daily, or at intervals of eight and ten days?—The door of the Settanee's house being opposite to that of mine, I used to go there daily and sit.

Who used to suckle the child, do you know?—Joitabhaee used to suckle the child.

Did you accompany Joitabhaee when she had gone to the idol "Bulleeya Kaka"?—No.

At the time the Settanee took the child with her to the idol Bulleeya Kaka, and after her return from thence, did you observe any change in the features or complexion of this child?—I saw the child both when he was taken to and brought back from the idol Bulleeya Kaka, but I observed no perceptible change whatever.

After the birth of the child, at what place the afterbirth, &c. buried, and who were present when these things were being buried?—The afterbirth, &c. the midwife, Jumna, conveyed away and buried in a hole excavated by a servant near a cesspool, in the vicinity of the house of Sewlall, and I attended with a light. This much I recollect.

Baroda, dated 4th September 1850.

Examination resumed.

Question. Will you, this day, point out the place where you state the afterbirth, &c. had been buried?—*Answer.* Yes.

In what were these things contained when taken to be buried?—In an earthen vessel (similar to what is used to keep buttassas in, and capable of being contained in one's hand with the fingers spread) were these things contained when buried.

You have stated that Joitabhaee personally suckled this child; state for what period did she continue doing so?—About two months after the birth of the child I saw the wetnurse, therefore I concluded that one had been employed.

(signed) *Baee Muncha Vow,*
the Wife of Purboodass Vundrawundass by Lulloo Bhugwan.

37.

TRANSLATE of the Deposition of Bhugwun Bhowanee; Religion, Hindoo; Caste, Dussa Deessawal Banian; Occupation, Goomashta to Hurree Bhugtee; aged about 37 years; Inhabitant of Baroda; taken before Colonel J. Outram, Resident at Baroda, upon oath, on the 10th day of September 1850.

ON Bhadurwa Sood 2d last (8 September), having been called by the Sirkar, I attended, where even Karbaree Bhow Sahib, Govind Rowjee, Anneeya Keeba, Sumboorum, and at a little distance Lulloo Bhugwun, and in another room Baba Nafra seated; a wall separated me from Baba Nafra, afterwards Anneeya put the following question to me, "With your hands, on the part of Joitabhaee Settanee did you write a deed which was given to Baba Nafra."* I answered, that "From to-day it is about four years, therefore how should I recollect?" upon which copy of the deed was submitted for my inspection, upon which I replied, "Show me the original deed which might have been written by me," when Bhow Sahib said, "The original deed was with the late Mahraj, therefore at present it cannot be produced, but this is the copy;" upon which I read the copy, and said "As Baba Nafra might have dictated, so I might have written this." When Bhow Sahib said, "Did you write this deed by the orders of Baba Nafra, or were you instructed to write it by Joitabhaee Settanee;" to which I replied, "Joitabhaee was imprisoned in a room which was guarded by two or three sentries, and the doors, windows, and loop hole of which were shut with iron bars; Baba and myself were seated in an outer room, and just as Baba dictated to me, so is this deed written; Baba did not obtain the consent of the Settanee when he got me to write this deed, and I never before heard that he had detained such consent;" the above is what transpired, but Sumboorum did not write it down as above, but wrote in my deposition that I said that Baba Nafra obtained the consent of the Settanee, and got me to write the deed, and that it was written in accordance with what the Settanee said. This changed version of what I deposed to, he wrote, but entertaining fears of the Sirkar, I said nothing, and they put contrary questions to me, and not writing agreeably to what I deposed, they made out my deposition as suited them. And they did not show me the original deed in my handwriting, and got me to admit the copy, and when I said anything about these irregularities, Annya Keeba got very angry with me, and threatened me, for which reason I was obliged to remain silent; accordingly the above particulars I make known to the Resident.

Question. The present case has for a long time been under investigation before me in your presence, and your deposition also has been taken, yet why did you not before inform me about the writing of the deed now alluded to; you should explain?—*Answer.* Baba Nafra in this case got a number of deeds, depositions, &c. written out according to his own pleasure, and through myself and Lulloo Bhugwun got up this plot regarding Joitabaee Settanee's son, therefore whatever Baba Nafra wished me to write for him, I was obliged to write, and I only recollected that the Baba had got me to write this deed upon the copy being shown to me, therefore from mere forgetfulness I omitted to make mention of it, and Lulloo's signature had also been forcibly taken.

(signed) *Bhugwan Bhowaneedass.*
(In his handwriting.)

38.

TRANSLATE of the Deposition of Lulloo Bhugwan; by Persuasion a Hindoo of the Vyada Banian Caste; Occupation, Goomashta to Hurree Bhugtee, and aged about 46 years; Inhabitant of Baroda; taken upon oath before Colonel J. Outram, Resident at Baroda, on the 10th day of September 1850.

Question. ON Bhadurwa Sood 2d (A.D. 8th September 1850), the deposition of Bhugwan Bhuwanee was taken at the Durbar, at which time you were seated near, and called upon to attest the said deposition as witness, when it would appear you refused to do so, consequently it appears that you were in a measure forced to attest this deposition, therefore you are called upon to explain all particulars connected with this affair?—*Answer.* At the time the deposition of Bhugwan Bhowanee was being taken, I was seated at a little distance, and Anna Keeba and others interrogated the deponent, and took down in writing the statements made, at this time a dispute took place, and the original was demanded, when answer was made that it was in its place and would be taken out and shown; this much I heard, but nothing further transpired in my hearing, and when I was called upon to attest this deposition as witness, I two or three times refused to do so, but without heeding such refusal, I was compelled to attest this deposition as a witness, whereupon I did so; according to the above is the particulars of this matter, therefore I make the same known.

In the depositions of Bhugwan, and woman Punnee, and Gunga, in this manner three depositions, and Seeturam Purbeeya's deposition, in all making four; were you present when

---

* This alludes to a forged writing, in the name of Joitabaee, professing to confess having bought the koolie's child.

when the above depositions were taken, or how?—When the above four depositions were taken I was present, seated.

Do you know what was written in the depositions of the above four persons?—I, as a witness was seated separately, therefore it is true that I heard some parts of such depositions, but from the uproar I might not have heard the other parts, consequently what the above parties deposed to I have not a perfect knowledge of.

The woman Punnee's deposition being taken in your presence, state the particulars how it had been taken?—The woman Punnee, through Baba Nafra, was provided with a situation at Hurree Bhugtee's, therefore is she on his side, and consequently she may have given her deposition in accordance with the Baba's tuition; besides which, this woman Punnee is not a person of character.

(signed) *Lulloo Bhugwan.*
(In his own handwriting.)

39.

TRANSLATE of the Deposition of Dada Meeya Chotakhan, of the Mahomedan Religion; Caste, Meerza; Occupation, Havildar to Hurree Bhugtee; aged 29 years, and Inhabitant of Baroda; taken upon oath before Colonel J. Outram, Resident at Baroda, on the 10th day of September 1850.

ABOUT eight days ago from this day I was called at the Durbar, and my deposition taken down in writing, when I made the same statement as that which I made before the Resident Sahib; on this occasion however Anna Keeba and Sumboorum having both threatened and frightened me, desired me to pronounce as false the true statement given recently by me in place of the false one I had formerly given before his Highness the Guicowar Sirkar, whereupon I replied, that Baba Nafra having tutored me, I was induced to give in a false statement formerly, which I could not pronounce as true, and recently having made a true and correct statement, how could I say that it is false; after speaking to this effect, I gave in my deposition, but in which what was written by them I know not. And again yesterday a peon came to call me to attend before the Guicowar Sirkar, therefore it is intended to take a further deposition from me, because some woman named Punnee, on the side of Baba Nafra, has falsely stated that the pay from Amleeyara, Dada Meya procured and gave, &c., thus has she falsely stated; therefore for the purpose of confronting me with this woman, am I to be again examined, therefore I present myself for the purpose of making the above particulars known. They put complicated and contrary questions to me, and Anna Keeba and others wish to involve and implicate me, and these people are constantly threatening me, for which reason I become confused and distracted, consequently I did not attend this day; according to the above is my case.

Besides, when about eight days ago I attended before the Guicowar Sirkar for the purpose of giving in my deposition; on this occasion on the part of Baba, a Shastree Brahmun, named Veessoonath came to me and said, "The former deposition which you made you should pronounce as correct, and the deposition made by you recently before the Resident Sahib, you should declare to be false, and if you do so, I shall liberally reward you;" thus did this man say to me, when I replied to him that I could not declare as false the true statement made by me before the Resident, and upon hearing which he left me and went away.

(signed) *Meerja Dadabhaee Chotakhan.*
(In his own handwriting.)

40.

TRANSLATE of a Copy of a Deed passed to the Meetapoor Koollee Ruggunath by Bugteedass Kandass, dated Magsur Vud 8th, Sumvut 1902 (A. D. 22 December 1845).

THE Meethapoor kollee Ruggunath from Sha Bugtee Kandass: "That your son having been taken by me, on this account for the period you may live, I write and agree to give you annually the sum of two hundred and one rupees (201 rupees), and if in this any difference be made we are responsible. *Shree Runchorejee.*" This writing is true.

(signed) *Shah Bhugtee Kandass.*

41.

TRANSLATE of a Memorandum of Settlement regarding the Firm and House, dated Shrawun Sood 1st, 1901 (4 August 1845).

1. ONE lac of rupees to be given to the younger Settanee, which is to be put out at interest, the interest to be left in deposit, and an account of the expenses on account of "Jahtra," &c. to be kept, and the jewels, &c. to be yearly compared with the list of them, and the expenses which may be incurred should be defrayed from this lac of rupees.

2. The sum of two lacs of rupees should remain deposited in the firm; with the surplus funds business of the firm should be carried on.

3. From the amount at present expended annually, steps should be taken to reduce the amount 25,000 rupees a year.

4. The pay of Goomasta, from the commencement up to the year Sumvut 1901, from the firms of Samul Bhugtee and Hurree Bhugtee, together with Sirpao, received, to be credited to Baba Nafra's account.

5. All the jewels, together with those contained in the inner rooms, &c., as also contained in both of the firms, &c., wherever they may be, should be collected and entered in a book, which should be bound for the occasion and taken care of.

The above particulars of these are contained in five paras., and if Peetamber Sewlall and Purmanund Sewlall be desirous of adjusting their accounts, on their paying the sum of 50,000 rupees in cash, the adjustment should be permitted to take place without any investigation regarding their former transactions, and an acquittance granted them; but in the event of their so desiring it about this para. take on account of this para. 25,000 rupees, and write and give a chit, and on the papers, &c., produced by the keeleedars of the three firms, as also those sent by the correspondents at Surat, Ahmedabad, Amreilly, and Bhownugger, &c., the signature of Wamon Row Baba is to be considered sufficient. Dulput, Bhyjee, Bapoojee, and Damodhur, together with those of his brother's firm, should abide by the instructions of Baba Wamonrow Baba. Dated Sumvut 1901, Shrawun Sood 1st (Monday, 4 August 1845). What is above written is true.

(signed) *Bechur Bhaee Shamuldass.*

42.

TRANSLATION of the Deposition on oath of Bhugtee Kandass, *alias* Bhunabhoy; Religion, Hindoo; Caste, Vesalar Wania; Profession, Goomasta; aged about 50 years; Inhabitant of Baroda; made before the Resident on 9 January 1851.

Question. YOUR deposition was taken at the Durbar on Kartick Vud 2d, of Sumvut 1904 (A.D. 10 November 1847), on the first six bunds strokes were drawn, on the six following ones your name is written, but on the two last bunds nothing written. Above the two bunds is a paper of four finger wide attached. The whole is here shown and read to you. State if this deposition was written according to what you deposed, or how; and what is the reason that instead of all the bunds bearing your signature, the above noted strokes should have been made on them?—*Answer.* Whenever I am required to give my deposition at the Durbar, the person who takes it down confuses me, and will not write as I desire him. I had from the first mentioned this circumstance to the Durbar, and to the Sahib. These persons keep great enmity towards me. Having shown and read to me the deposition given by me at the Durbar, I beg to state that below my signature originally made in the deposition, a piece of paper of four finger wide has been joined, to which is attached two questions with their answers, and my name written at the end, but I did not sign it, nor did I make those answers attributed to me. The signature above this piece of paper is mine, but the whole of the bunds which I had signed does not appear to be my signature. The strokes made on the first six bunds were not done by me, I had put my signatures on them, how came the strokes to be on I do not know.

Previous to the death of the Shet Bechurbhaee, when was he taken ill, and when did he become insensible?—Previous to the Shett's death, for two months he used to get slight fever, but he used to go out to worship. A month previous to his dissolution he used to get the fits, but the doctor administering some medicine, he would revive. Sometimes he would be considered as dead; this continued for a month, and afterwards he died.

Baba Nafra took a leck from Bachurbhoy Shet, giving him full powers over his affairs. Did you hear of this; if so, when and how he obtained it. State what you know?—One day Shet Bhechurbhoy took very ill about three in the morning, and was in fits, the doctor having administered him some medicine he revived. About gun-fire in the morning Baba came to Shet, where all the servants were seated, they were turned out, but Baba alone remained inside; what he obtained from the Shet I don't know. A month after the Shet's death Baba said that the Shet has given him full powers; this I heard, but whether he obtained the leck, or what, I do not know.

You say that when Baba came to the Shet, he turned out every one, but what happened afterwards you don't know. Were you present at the time or not?—I was present, but when I came from my house every one said that Baba turned every one out, and sat alone with the Shet; I therefore came to know of it.

43.

TRANSLATE of the Deposition of Vuz Bhookun Eshwur; Religion, Hindoo; Caste, a Dussa Land Vania; Occupation, Goomasta at Hurree Bhugtee's, aged about 55; Inhabitant of Baroda; taken upon oath before the Resident, Colonel Outram, at Baroda, on 22 January 1851.

Question. THE depositions of the Amlleearee Tullaveeya Dulleeya, his wife Dhoodee, Tullaveeya Jooria Patell Eshwer, Vunnarsee, &c., and the Ranneeya Kollun Phoollee, Havildar

Havildar Dadabhaee, Arab Munsoor, and Woman Phunnee, in all eight depositions, are shown to you, and which you admit being in your handwriting; and therefore you are required to explain at whose instigation you wrote these depositions, and to name the parties who were present at the time of writing them.—*Answer.* When the above depositions were being written out, myself the writer, Bhugwan Bhowanee, Baba Nafra, and the above-named deponents were present, and seated, and as Baba Nafra dictated to me so I wrote out these depositions, and I do not recollect any other party being present, and what I recollect I have deposed to, and I know nothing further.

State what place you wrote out these depositions?—Some of the depositions I wrote at Baba Nafra's house, and the others at the Settjee's firm; Baba sits at the above two places where these depositions were written.

What number of the above eight depositions did you write out at the Baba's house, and which at the firm?—The greater part of this work was done at the house of the Baba, therefore only one or two of the depositions were taken at the firm, but I do not recollect which particular ones they were, but I recollect that the remaining ones were taken at the Baba's house.

The above eight depositions are shown to you, and you are requested to declare whether they are in the same state as when written by you, or whether they have since been tampered with?—The whole of the eight depositions which have been shown to me I declare are in my own handwriting; but of these depositions, that of Phunnee woman, contained in two bunds (the substance contained in the first bund), was by the orders of Baba, 15 or 20 days subsequently, changed and written anew, that I changed and wrote it, and pasted it to the original second bund, and consequently the bund subsequently attached appears to be new. Besides the above, no other change appears to have been made in the above depositions.

You state that 15 or 20 days afterwards, Baba caused the contents of one of the bunds of the deposition of woman Phunnee to be changed and written anew; therefore you are required to state what that bund of the original deposition of Phunnee woman first contained, and whether the woman Phunnee was present at the time of her deposition being so changed?—Phunnee was not present when the first bund of her original deposition was changed and written, and what was originally written upon the first bund of her deposition I do not perfectly recollect at present, but I wrote down what was dictated to me by the Baba.

You state that the deposition of Phunnee was changed during her absence, therefore you are required to state what course was adopted with reference to the other depositions taken?—When the whole of these depositions were taken, the several deponents were previously tutored as to the nature of the statements they were to depose to; consequently when the depositions were being taken they repeated what they had to say, and when any of them forgot what they had been instructed to say, and made a different statement, then the Baha used to dictate to me what he wished inserted in the deposition, and I, being a dependant, used to write down accordingly.

(signed) *Vuz Bhookun Eshwur.*

Dated 22 January 1851. (In his own handwriting.)

44.

TRANSLATE of the Deposition of Mahaluxmee Settanee, the Widow of the late Bachurbhaee Samuldass, taken on Maha Sood 4th, (Wednesday), Sumvut 1907 (5 February 1851); taken at her own house by order of the Resident, before the Native Agent, Sumbooram Koosheil, and the assembled Goomastas of Hurree Bhugtee's Firm, about 25 in number.

Question. YOU having on 4 September 1850 presented a petition to the Bombay Government, submitting that the Baba had falsely signed your name to several yads, &c.,* presented by him, therefore you are required to declare whether the statement advanced in the said petition be correct or otherwise?—*Answer.* Yes, Baba Nafra, without consulting me, used directly to make false petitions, and such being the case he used to falsely subscribe my name to them; and it is true that I petitioned that the above adverted to petitions might be annulled, and the circumstance happened as I have set it forth in my petition to the Bombay Government.

Since you have stated that the Baba had misrepresented things, you therefore are required to certify whether you remember the same?—As above stated that the Baba had made out and presented false petitions in my name, I have stated, but that the Baba had misrepresented things for me, at which time and under what circumstances I have no recollection about.

When were you first informed that Joitabaee Settanee was *enceinte?*—I do not recollect the name of the party who had at first informed of Joitabaee Settanee being *enceinte,* but after the death of the Settjee, Joitabaee Settanee, whilst weeping, declared in the presence of the whole of the caste that she was pregnant; from this time her state became known to every body.

Had

* Particularly with reference to her yad of the 5th September 1847, recorded by the punchayet, No. 95.

Had you any doubts about Joitabaee's pregnancy, and if you had upon what circumstances were they based?—In this matter, as I am quite ignorant what should have induced me to have doubts, and I had never entertained any suspicions regarding this matter.

Had you ever deputed Moteeram Vyud to examine and ascertain whether Joitabaee Settanee was really pregnant or otherwise?—If the Baba had so deputed him, he should know, as for my part I know nothing about it.

Had you also deputed Tree Bhowan Jhassee upon this mission?—I never sent him, but if the Baba had done so he should know.

In the employ of your late husband was an individual named Narrain?—Yes, an individual named Narrain was employed as a kidmutgar with the Settjee.

Did your husband ever cause this individual to be imprisoned?—Yes, he was caused to be imprisoned.

For what reason was he imprisoned?—Narrain having got up a false plot in the firm, he was caused to be imprisoned.

Was this individual ever beaten by the Settjee, consequent upon his familiarity with Joitabee Settanee?—If the Sett had done so how should I know, I have no recollection about it.

Did Joitabee Settanee ever say any thing to you about getting this Narrain released from confinement?—After the death of the Settjee this individual was released by Baba, but nobody ever spoke to me about getting him released, neither was I consulted previously to his being released.

When (was he released)?—Since I am entirely ignorant about it, how can I say when?

What did you say and what did you do?—Since I know not, what answer am I to make to this question?

When you were informed that Joitabaee Settanee had been accouched of a son, what did you at the time do?—At the time of Joitabee's accouchement of a son, the Baba and the Settanee were both of one mind, the Baba had done everything; as for my part I said nothing, because the Baba being endowed with paramount power, therefore when I was informed about it I then became aware; but the Baba did everything.

Do you know Punnee woman?—Yes, I do.

Was she entertained in the service of Joitabaee Settanee in the office of a slave girl?—During the Sett's lifetime Punnee used to work in the firm, and she used to get her food and clothes, but at that time she used to receive no wages; but after the death of the Sett, this woman Phunnee was attached to the service of Joitabaee Settanee, to discharge the offices of a slave-girl, such as washing clothes, &c., from which time this was put upon wages, and used to receive 3¼ rupees per mensem, and from this time she remained with her, *i. e.* Joitabaee Settanee; and when the son of Joitabaee Settanee was returned to the Tullaveeyas by the Baba 15 days afterwards, Joitabaee Settanee expelled Phunnee from her employ, and from this time she returned to her former office in the firm.

Used this woman Phunnee to work in the rooms occupied by yourself and Joitabaee Settanee?—I had no confidence in her, but those who had must know.

At the time Joitabaee Settanee had removed to the house of her parents for the purpose of being accouched, was this woman Phunnee of such standing as to be a proper person to have accompanied the Settanee?—I know nothing about this; this woman being in the employ of Joitabaee Settanee, she should know about the confidence, &c. reposed in this woman.

For what purpose did this woman Phunnee go there?—Being a servant, she might have gone to discharge the duties of her office; but how should I know?

Were you informed that Joitabaee Settanee had procured a (spurious) boy from the village of Meetapoor, and did you direct the Baba to depute Lullo Bhugwan to make inquiries?—I never from the first had been informed about the boy, neither did I instruct the Baba to depute Lullo Bhugwan, and I know nothing about this matter.

Had you given instructions to the Baba to place a guard to prevent any one having access to Joitabaee Settanee?—I never gave instructions for a guard being placed to prevent any body from having access to Joitabaee Settanee, and neither did I mention any thing to the Baba upon this point.

Did the Baba on the same day on which a leckh had been passed by Joitabaee Settanee confessing that she had never had a son, previously to his going to his home, inform you of such a deed having been passed, and another leckh securing to the father of Joitabaee Settanee Bhanabhaee a stipend annually of 200 rupees, did you order the Baba to grant, or did the Baba say anything to you about this latter leckh?—At the time the leckh was being prepared I was not near, but it appears the Baba had gone to the Settanee Joitabaee late at night for the purpose of getting such leckh passed; but that night the Settanee Joitabaee gave no heed to what he said, and the next day the Baba again returned to Joitabaee Settanee, and got the leckh executed. This leckh the Baba got Bhugwan to write, and Dyshunker was made to attest it. This I learnt from Baba himself down stairs, where I was seated, as also of his having passed another leckh, securing to the father of Joitabaee Settanee Bhanabaee the annual stipend of 200 rupees.

The Baba, in the garden, after having returned the son of the Settanee Joitabaee to the Amleeara Tullaveeya Dulleeya, had returned. Did the Baba obtain your permission for doing so, or was he sent by you?—I know nothing about the matter; my permission was neither obtained, nor did I send him.

Did you order the Baba to give to Lullo Bhugwun the sum of 15,000 rupees on account of the Meetapoor affair; and that in consequence of the Baba having delayed the payment of this

this amount did you get vexed, and say to him that he was desirous of getting a rival to share in your son's fortune, and after saying so, cause him to pay the amount at once?—Baba had paramount power, and consequently did what he pleased, therefore how he gave the money he never informed me, neither did I ever say anything regarding the matter to the Baba.

The answers made by me in this deposition are true. Dated as above.

(signed) *Baee Mahaluxamee.*
(In the handwriting of Wujjoobhaee Vancheedass, by the orders of the Baee.)

45.

TRANSLATE of the Deposition of Rungjee Bheeka; Religion, Hindoo; Caste, Dhussa Kuddaita Banian; Occupation, in Charge of the Affairs of the Thakoor of Meetapoor; aged about 40 years; Inhabitant of the village of Meetapoor, of the Nuddeeyad Purgunnah; taken upon oath before the Resident at Baroda, on the 3d February 1851.

Question. IN the deposition of the Meetapoor Thakoor Jheet Sing Jhallumjee, No. 26, his signature obtains in two places, and stated to have been written by Rungjee Bheeka, *i. e.* yourself, therefore you are shown the deposition in question, and directed, after minutely inspecting the writing of the signatures, to declare whether such signatures be in your handwriting or otherwise.—*Answer.* Having minutely inspected the writing of the signatures in question by holding the deposition in my own hands, I declare that the first signature upon the said deposition is in my handwriting, but the lower signature is not, and that I am not aware in whose handwriting it is.

In the deposition of Gooman Mhowsing, of Jhassapoora, No. 25, the signature of that individual obtains in two places, and they are stated to be in the handwriting of Rungjee Bheeka, *i. e.* yourself, therefore you are shown the deposition in question, and required to minutely inspect the writing of the signatures, and declare whether such signatures be in your handwriting or otherwise?—Having taken the deposition in question in my hands, and inspected the said signatures, I declare that neither of them are in my handwriting, and that I know not who has made use of my name, as therein appears.

In the deposition of the thakoor of Meetapoor, Oomersing Hurreebhaee, No. 23, the signature of that individual occurs in two places in his own handwriting, and you being his karbaree, and consequently constantly near him, should know his handwriting, therefore you are required to inspect this deposition, and state whether these signatures had been made by him, or otherwise?—Having inspected minutely the signatures upon the deposition handed to me, I declare that neither the first signature, or the mark of the kuttaree obtaining thereupon, are in the handwriting of Oomersing, and the signature also at the bottom is not in his handwriting, and further that I know not by whom they had been made.

Upon the depositions of the Meetapoor people, Nos. 10, 6, 7, 9, 24 and 22, the signatures of these parties are stated to have been written by you, consequently these several depositions are submitted for your inspection, and you are required to declare whether the signatures thereupon had been made by you, or otherwise?—Having inspected the above depositions, I delare that the signatures of the Meetapoor and Jessapoora people are in my handwriting, and that I undoubtedly wrote them. Dated 3d February 1851.

(signed) *Sha Rungjee Bheekabhoy.*
(In his own handwriting.)

(True translations.)
(signed) M. Battye, Assistant Resident.

Appendix (G.)

YAD from his Highness the Gaekwar, dated 22 October 1850, and accompanying Proceedings of the Punchayet.

TRANSLATE of a Yad from his Highness the Gaekwar to the Resident, dated 15th Zelhudge, S. S. 1250; Month Assoo (22 October 1850).

A YAD from the Resident, dated 16th August 1850, No. 668, has been received, in which it is stated as follows, *i. e.* "The Settannee Joutabaee, the widow of Parruck Bhachur Sammul, having presented a petition to the Bombay Government regarding her son, the parties known to be implicated in this affair have given before the Resident these depositions, numbering 31, which, with a list, are annexed to this yad; their contents should be carefully and leisurely taken into the consideration of the Gaekwar Sirkar, and the affair duly investigated, after which the original papers, now transmitted, should be returned, in obedience to which the whole of the papers received from the Resident, and those containing the former inquiry into this affair by the Sirkar, together with others containing the depositions of such persons as were considered necessary to be taken upon this subject were delivered over to the under-mentioned individuals, viz. Bhasker Row Wittul, Bheema Shunker Ghungadhur, Gopal Row Myral, Narrain Row, Mhadao Mujmoodar, and Chooneelall Lulloo Parruck, who were instructed to consult with such other persons as they considered necessary

to inquire into the nature and extent of the guilt of each of the parties concerned, as also to determine what punishments should be awarded to each individual according to the shastrees, they were directed to consult with the body of the shastrees, and submit their opinions to this Government. Their opinions, together with the decision of the body of shastrees, were accordingly submitted to this Government, and copies of these two documents are sent with this yad, from which the particular punishments to be awarded to Baba Nafra and his accomplices will appear. But with reference to Lulloo Bhugwan, Bhugwan Buwaneedass, and Dada Havildar, these three persons having from the beginning declared the true particulars to the Resident, therefore these persons should be relieved from the punishments which they merited for their participation in this guilty affair, therefore I have forgiven them; and regarding the amount of punishment awarded by the shastrees to Baba Nafra on the three charges proved against him, *i. e.* a fine of 15,500 rupees, and expulsion from the Sirkar's territories, or imprisonment for seven years; the expulsion does not seem right, therefore in lieu thereof it has been decided that he be fined in the sum of 15,500 rupees, and imprisoned with irons for a period of seven years. The punishment awarded to Mhunsook Lulloo by the shastrees is three years imprisonment, which has been approved, and will be carried out. But the village of Meetapoor is under the Company Sirkar's jurisdiction, the punishment awarded by the shastrees to the parties involved in this affair belonging to that village, it is hoped the Resident will adopt measures for the execution of. The original papers received from the Resident, with the yad under reply, are returned.

TRANSLATE of a Yad from Bhasker Row Wittul Khasghee Wallah, Bheema Shunkar Ghungadhur Mootalick, Narrain Row Mahadas Mujmoodar Parruck, Gopal Row Myral and Parruck Chooneelall Lulloobhaee, to his Highness the Gaekwar, dated Assoo Sood 11th, S. 1907 (4 August 1850).

WE, the undersigned, beg to submit, with reference to the statement of Joutabaee Settanee, the widow of the late Bhachur Sammul, that her son, about 18 months ago, had been kidnapped and delivered to a kollee of the Amleeyara village, Purgunnah Baroda, by the moonim of the firm of her late husband, from feelings of enmity he had entertained towards her, and that the particulars of this transaction having been made known to both the Gaekwar and Company's Sirkar, an investigation in the first instance by Meer Surfraz Ali and others took place by the mandate of the Gaekwar Sirkar, and subsequently a second investigation took place by the Resident; and the mandate from the Gaekwar Sirkar transmitting the proceedings conducted by Meer Surfraz Ali, the Resident, and recently by the Gaekwar Sirkar, directing that the above proceedings should be seriously considered, and any further evidence considered necessary collected by us, and that after giving the subject our undivided and serious attention, the conclusions arrived at, with full and detailed particulars regarding the extent and nature of guilt attachable to each of the individuals implicated in this nefarious transaction should be submitted for the Sirkar's information, that the above proceedings having been received by us, we gave them the attention the seriousness of the case demanded, and obtained such further information as was considered necessary, and upon taking the whole of the particulars into consideration, we have arrived at the conclusions noticed in the following paras., viz.:

Para 1. The Settannee in her petition and deposition, No. 81, taken on Kartick Vud 2d, S. 1904 (16th November 1847), states that at the time of her husband Sett Bhachur's death, she was about four or four and a half months advanced in pregnancy, and that she had publicly made her condition known to her female friends, who had collected on the occasion whilst weeping and lamenting during the ten days of the mourning consequent upon the loss she had sustained; further, that on the 9th Magsur Vud, S. 1902 (23d December 1845), about the early part of the night, in consequence of feeling indisposed, she removed to the house of her father, at which place about 12 o'clock, or midnight, she gave birth to a son in the presence of Rawa woman, Mhunsa woman, a Bannayane, her mother Landbaee, her grandmother Ambabaee, Maha Koovur, a Banneeyane, and the midwife Jumnah, the wife of a barber; that on the following day Baba Nafra's wife had paid her a visit for the purpose of inquiring about her health, and agreeably to the usage upon such occasions presented her with a nuzzur of five putlees on behalf of the firm, and two putlees on her own account, in all seven putlees, together with goor, and that she repeated her visits again upon the (shestee pooja) sixth day, (bharsa) twelfth day, and (veevahee) betrothment day, which were all observed with the usual ceremonies; that upon the Settannee being informed of certain irregularities Baba Nafra had committed in the firm, she intended petitioning the Sirkar for the purpose of getting Baba Nafra removed from the firm, and that such becoming known to Baba Nafra, he, through enmity, calumniated her, to the effect that she had taken the son of a kollee, and that under the above plea, Baba Nafra had taken her own son and delivered him to a kollee. In answer to the above charge, Wamun Rao Venkettish, *alias* Baba Nafra, states in his deposition, dated Magsur Sood 2d, S. 1904 (9th December 1847), that it was not usual with him to frequent the female apartments, consequently that he had no opportunity of judging whether the Settannee was really pregnant or otherwise, but that his late master had never hinted to him that she was pregnant, neither did he hear of her being so from any other source, and as a further proof he states, that his master at the time of his death made out his will, and in the first para. of such will he bequeaths to his Settannee Joutabaee the sum of one lac of rupees to remain at interest, and which interest* to

S. O.

go

go towards the expenses incurred by her on account of pilgrimages, &c., and that in a yad addressed to Maha Luxamee Settannee, No. 96, copy of the above paragraph of the will was entered; further, Baba Nafra states regarding the observation of the sheesta poojun, Bharsa, and Weeyahee, that as he considered his master's wife in the place of his own mother, it was not his place to investigate or raise objections unless backed by strong proofs, and as Maha Luxamee Settannee's sentiments on the above point coincided with his own opinion, no objection was offered by them, and agreeably to Joutabaee Settannee's desire, under instructions from Maha Luxamee Settannee, the above days were observed with the usual ceremonies, and that after the lapse of some days a rumour obtained, that the Settannee had procured the son of a kollee from a village towards Sowlee, named Meetapoor, who she passed off as her own son; that having been ordered by the elder Settannee, Maha Luxameebaee, he despatched Lulloo Bugwan to make inquiries, and ascertain the truth or otherwise of such rumour; that at this time the Meetapoor Wallah, on account of Jowla Tullaveega's father, who was in possession of a deed passed to him by Bhannabaee binding himself to pay for ever to the said Tullaveeya annually the sum of Rs. 200, presented this deed to Bhannabaee for payment, and that Bhannabaee, instead of liquidating the demand, made answer that the lad he had obtained had died, consequently he would pay him no money, and that upon receiving this contrary answer, they came to Baba Nafra's shop, showed him the deed, and disclosed all particulars, and that upon this Baba Nafra promised to inquire into the affair, and desired them to return to him, after 15 days, with all the original documents they possessed, and that upon this they left him; further, Baba Nafra states, that some time after the above affair information was obtained from some goomastas, that Joutabaee's mother, Landbaee, was in the habit late at night of visiting at the house of the Amleeara havildar Dada Meya; that in consequence he was sent for, but having secreted himself could not be produced; that therefore a reward of 50 rupees was given, by which means he was procured and confined by Baba Nafra for four days; that one Nurbaram Bhateeya interceded on behalf of Dada Meya, and said that Dada Meya was willing to confess the truth, and that hearing this Baba Nafra caused Dada Meya's deposition to be taken, in which Dada Meya confessed having procured, at the request of Bhannabhaee, a lad from the Amleeara village of the Tullaveeya caste; that upon hearing this confession Baba Nafra sent for the boy's father, Tullaveeya Dhulleeya, and others, who came and corroborated Dada Meya's statement, and that from this time the subject became published in the whole city, and that when this news came to the knowledge of Joutabhaee Settannee, she sent for and confessed to him that she had never had a son, but that her parents had, through the instrumentality of Dada Meya, procured and passed off a spurious lad as her son, and that provided he would not further expose her, the lad could be returned to the party from whom Dada Meya had procured him; and that after saying this, she passed a deed to the Sirkar written by Bhuwanneedass, and that Dyashunkier Dasaye, at the Settannee's request, endorsed his signature upon this deed, the obligation of which deed was, that her father, Bhannabhaee, should receive annually the sum of 200 rupees from the firm, by the Settannee's orders through Bhugwan, and that this deed was in the name of Purshotumbhaee, and that thus was the deed executed and obtained; and further, that this deed was at the time brought to the knowledge of the Sirkar, and by the Sirkar's orders, and consent of Maha Luxameebhaee, the lad was conveyed to the Settjee's garden, and delivered to the Tullaveeya of Amleeara; and further, that the above statement is corroborated by the deposition of Maha Luxamee Settannee, No. 94, and dated Magsun Sood 4, S. 1904 (11th December 1847).

This is the Baba's statement:—

2. Upon taking the above circumstances into consideration, three charges, as under, should be investigated, viz.:

1st. Whether Joutabhaee Settannee was ever delivered of a son, or otherwise.

2d. Whether the son of a Meetapoor kollee had been procured, or otherwise, and whether the deed produced by Baba Nafra as evidence, and said to have been given to this kollee by Bhannabhaee, was genuine, or a forgery; and

3d. Whether the lad delivered over to the Amleeara kollee was this kollee's son, or not.

From the above three charges, the first one, *i. e.*, Whether Joutabaee Settannee ever had a son or not, the following evidence has been adduced from the investigation already conducted on this subject, and from the witnesses produced on both sides, viz.:

1st. The depositions of the witnesses on the part of the prosecution, viz., Rawa Woman, a Brahmnee, No. 85; Mhansa Woman, a Banneeyane, Nos. 86 and 91; Landbaee, No. 89; and Maha Koovur, No. 91. These four persons state, that when the Settannee was brought to bed and the child's umbilical cord cut, they were present; and Ghunga Marahtnee, No. 83, and Dhayee Rooshallee, No. 84, state that the Settannee suckled her infant for about a month or five weeks, after which that they were employed as wet-nurses to the child. Jumnah, Barber Bhachair's wife, would appear to have been the party who separated the child's umbilical cord, but this woman being dead, her evidence cannot be had; but her husband, Barber Bhachur, in his deposition, No. 87, states that his late wife, Jumnah, followed the calling of a midwife, and officiated on the occasion of the Settannee Joutabaee's delivery of a son; and that, for such services as she rendered, she had been recompensed by a handsome present. The whole of the above-named witnesses depose to the fact of the

Settannee Joutabaee having been delivered of a son. The witnesses produced by the Baba state as follows, viz.:

1st. Moteeram Vyde, No. 97. This man states that before the Settjee's death, about five or six days, the Settannee had her periodicals, and that her husband appeared to be much troubled on her account; and as the Settannee's stomach began to pain her, that he went and inquired what part of the stomach pained her, and that upon his doing so he administered to her five rupees' weight of the essence of ujwine (bishop's weed) seed, which had been distilled for the use of the Settjee; and that afterwards he felt her pulse, and a second time examined the Settannee's stomach, and that from such examination it did not appear to him that the Settannee was enceinte; and this witness further states, that during the period of the days of mourning which followed the death of the Settjee, that the Settannee, whilst weeping and lamenting for her husband, was telling the females congregated on the occasion that she was pregnant; and that when Maha Luxamee Settannee heard her say so, that Maha Luxamee Settannee bid him go and advise the Settannee Joutabaee not to make such a statement; and that upon being so desired, he took with him Treeboun Josee, and went and communicated Maha Luxamee Settannee's sentiments upon the subject to Joutabaee Settannee; and that she, in answer, informed him that she had made the statement on account of her forlorn condition, but that she was not enceinte; and that, further, the Settannee promised to never again repeat the same. Treeboun Josee, No. 98, upon being questioned upon the above point, corroborates the statement made by Motee Ram. The next witness (*vide* depositions Nos. 48 and 78) states, that she had been in constant attendance upon the Settannee from the date of the Settjee's death; that about five or six days before the Settjee's death the Settannee had her periodicals, and that she was not pregnant; but that, as the Settannee used to sit covered with shawls constantly, she, deponent, had no opportunity of viewing the Settannee's stomach, and that Joutabaee would never permit her to touch her person, and that the Settannee used to get people belonging to her mother's house, or Landbaee herself, to do so upon occasions of bathing, &c.; that she followed the Settannee when she removed to her father's house; that the Settannee and her mother were seated in an up-stair room; that Landbaee ordered the deponent to go down stairs and sift some ashes, but that she could find none; that after a while she was again called up-stairs, and that when she went up-stairs, she found the Settannee seated upon a stool, and by her side a male infant was lying upon his back; that the following parties were near the Settannee, viz. Maha Koovur and Landbaee, these three persons were present and none other, but that subsequently they came; that the child had no umbilical cord attached to the navel, and did not appear to have been recently brought forth; that afterwards it was reported that the Amleeyara kollee had come to the Settannee, and had brought his own son, who was delivered to the Settannee; and when this report came to the knowledge of the Settannee, that she had been despatched to fetch Baba Nafra; that she went for and returned with the Baba, to whom the Settannee Joutabaee confessed that she never had a son, but that her parents had, through the instrumentality of Dada Meya, procured a spurious child, and that the Settannee requested the Baba to inquire of Dada Meya and get the lad restored to his proper parents; and that after this the Settannee got one Buwanneedass to write out a deed for the Gaekwar Sirkar, by which the father was to receive annually for ever the sum of 200 rupees from the firm; that she got the Baba also to pass a deed, after which the lad was, after Baba Nafra had made inquiry, delivered over to the Amleeyara kollee. The above statement regarding the deed is corroborated by the deposition of Bhugwan Buwaneedass. According to the above, the witnesses on behalf of Baba Nafra deposes to.

Taking the whole of the above circumstances into consideration, the following conclusions have been arrived at, viz.:—

1. The fact of the Settannee having been enceinte, and after the death of her husband about three and a half months delivered of a son, seems to be supported by the evidence of the following parties, *i. e.*, Rawa Woman Brahmnee, deposition No. 85; Mancha Woman Banneeyane, Nos. 86 and 91; and Maha Koovur, No. 90; which, upon perusing, it would appear that the Settannee Joutabaee gave birth to a son, but upon perusing the depositions of the witnesses on behalf of Baba Nafra, *i. e.* Moteeram Vyde, No. 97; Treeboun Josee, No. 98, and Baee Phunnee Koombarneem, Nos. 78 and 48, it would appear that the Settannee was not pregnant, nor did she give birth to a son. From amongst the witnesses on behalf of Joutabaee, No. 89 establishes that the Settannee actually had a son, but little or no dependence can be placed upon this, her mother's statement; and witness No. 85, in answer to a question put to her, states that when she went to the house of Landbaee it was a moonlight night (but the day on which the Settannee is said to have been delivered was in the month of Magsur Christna 8 (December 22, 1845), and about midnight of that day the Settannee was delivered; and that, about four or five "ghutkas" before the Settannee was delivered, Rama Woman from her own house came to that of Landbaee: thus this witness deposes. Therefore, at that time of the night in question how could there have been moonlight?* Therefore, for the above reason, no dependence can be placed upon this deponent's statement.

* Remarks by Lieutenant-colonel Outram:—Having it in proof that the first punchayet did not scruple to write down, in Joutabaee's examination, what she did not say, and alter what she did say, what reliance is to be placed on what has been put into the mouth of this witness; that she may not have said "dark," while they wrote "moonlight"? Her death prevented her appearing at the residency for examination, but even had this witness really made the mistake attributed to her,

statement. Maha Koovur, No. 90, in her deposition, states that she was present when the Settannee was brought a-bed of a son; this is her statement. But from the fact of her being related* to the Settannee, Joutabaee, which appears from the deposition of Mhuncha Woman, No. 91, no confidence should be placed upon this witness's statement either. In the deposition of Mhuncha Woman, Nos. 86 and 91, she states that for one and a half months Joutabaee herself personally suckled her infant, and that afterwards she was entertained as wet-nurse to the child,† and this is corroborated by the depositions Nos. 83 and 84.‡ Therefore upon taking the above into consideration this may be depended upon, and the deposition of Moteeram Vyde, Treeboun Jhosee and Phunnee would also appear to have some weight, because Moteeram Vyde is a person of great renown in the land, and is the family medical attendant to the house of Hurree Bhucktee, and professionally in the confidence of Joutabaee Settanee; therefore if the Settanee had actually been pregnant when he examined her stomach, he would have been cognizant of the fact, which however it would appear he did not, from the fact of his administering to the Settanee the essence of ginger and (ujwine) bishop's weed seeds, therefore much weight appears to be attachable to the statement made by this person.§ The Jossee likewise belongs to the same family, and would not appear to have any motive for making a false statement; this also is apparent;‖ and the witness Phunnee, who would appear to have been engaged as a personal servant¶ to the Settannee, and further being an aged and experienced woman, would have had some knowledge of the circumstance, if the Settannee had actually been with child, and it appears rather strange that a personal servant should be prohibited from touching the person of her mistress upon occasions of bathing, &c.,** and that people from her mother's house should be called in for the performance of such offices; these circumstances appear rather suspicious, and would in some measure account for the rumour said to have been at the time circulated that without being pregnant the Settannee had been delivered of a son; also that the Settannee was not at the time of her husband's death with child, but subsequently became enceinte, and gave birth to a son. On the above account doubts are entertained, therefore, when the whole of the circumstances are taken into consideration, as also the statement made by the Settannee, *vide* deposition No. 81, that the fact of her being with child was known to the Settjee, her husband. The following would appear to be the bearings of the question, after due investigation, viz.: That if the fact of the Settannee's pregnancy had been known to the Settjee, he would have decidedly at the time of his making out his will, when he was in the full possession of his intellect, and which would appear to have been endorsed some 10 or 12 times with his own hand, have made some provision for the child with which his youthful wife was pregnant after his death, which however seems not to have been done,†† for in the first paragraph of the Settjee's will he bequeaths the sum of one lac

---

her, surely such a trifling failure in memory respecting the unimportant fact, of whether it had happened to be a light or a dark night, upwards of two years back, should not be allowed to neutralize the straightforward, positive testimony she gave regarding events which she could not possibly have forgotten. But though it may have been dark when this witness went to Larbaee's house, it must have been moonlight when she returned from it, for on the night of the 23d December 1846, the moon was at the fourth quarter.—(signed) *J. Outram.*

* This looks very like a wilful misrepresentation. The members of the punchayet could not well have been ignorant that the witness, Mahkoor (No. 90), was no relation of Joutabaee. But if they were ignorant of the fact from their own knowledge, the deposition of Muncha (No. 91), taken at the same time, must have very clearly informed them of the fact, for on the question being put to her, "Who were present at the accouchement?" she replied, "The midwife, Jumma, the woman who had just come here (viz., the woman who had just been examined), Mah Kooer, as also another Mah Kooer, a relative, who being unwell, was asleep, &c."

(signed) *J. Outram.*

† This is simply a falsehood. The punchayet had been made fully aware, by previous depositions, that Gunga and Khooshalee were the wet-nurses to the child. The deponent, Muncha (*vide* deposition No. 91), states, "I am her next door neighbour, and friendly with Larbaee; * * * I used to frequent the house constantly. It is true that I have nursed (Rumarlo) the child, and I have also seen the Settannee suckle child." Of the two wet-nurses, Gunga and Khooshalee, the latter was called in when the milk of the other began to fail.—(signed) *J. Outram.*

‡ Another misrepresentation of the evidence. These depositions do not say that Muncha was engaged as wet-nurse; they testify, however, that Joitabaee used to give the breast to her son.

(signed) *J. Outram.*

§ The intense absurdity and dishonesty of the argument, founded on Moteeram's evidence, is fully exposed in the report of the Medical Committee, Appendix (L.)—(signed) *J. Outram.*

‖ Josee's statement, so far as it goes, is but a confirmation of Moteeram's, and is also disposed of by the Medical Committee; and further, Josee's deposition is of those which have been tampered with.—(signed) *J. Outram.*

¶ The punchayet were well aware that Punnee was not a personal attendant, but menial servant; and if they had taken the trouble to ask her as to her experience they would have found, as the Medical Committee did, that she had never had a child herself, or been in attendance on a lying-in chamber; and it was in evidence before them, evidenced by her own depositions, that the witness contradicted herself in such a manner as to render her testimony worth nothing.

(signed) *J. Outram.*

** It was in evidence before the punchayet, in fact stated to them by Punnee herself, that it was no part of her duty to assist Joetabaee in bathing.—(signed) *J. Outram.*

†† See the evidence contained in Appendix (C.), and also the opinion of the Medical Committee on this subject, Appendix (L.)—(signed) *J. Outram.*

lac of rupees to his wife Joutabhaee Settannee, and for the purpose of consoling her for not having had any child, the Settjee before his death placed upon the Settannee's lap Purshotum bhaee, the elder Settannee's son; this Joutabaee Settannee admits in her deposition, No. 81.* Further, if she had actually been pregnant, no necessity whatever existed for her husband to have thus consoled her; therefore from the above, and other circumstances, some doubts appear to exist on the subject of the Settannee Joutabaee's pregnancy; and further, upon taking into consideration the deed said to have been granted to Baba Nafra by the Settannee, written in the name of the Sirkar, and put in as evidence by Baba Nafra, No. 35,† in which it is made to appear that the Settannee had confessed that she never was pregnant, nor gave birth to a son, but that her parents obtained, through Dada Meya, a spurious child, who was intended to have been passed off as her own son, and which lad the Settannee agrees should be returned to the parties from whom he had been obtained. Regarding this deed, the writer of it, Bhugwan Buwanneedas, in his deposition, No. 49,‡ taken before the former investigation on this subject, and deposition No. 101, recently taken before the Sirkar, distinctly states that the Settannee caused this leckh to be written spontaneously, and with her own free will, and Lulloo Bhugwan corroborates this statement; but at the investigation subsequently held before the Resident, their evidence are quite at variance with their former statements,§ consequently their statements cannot be relied upon as true. From the above, however, being taken into consideration, it appears doubtful whether Joutabaee Settannee was delivered of a son or otherwise; but many days having now elapsed, therefore at present it is difficult to determine this point, and from the proceedings already instituted in this matter, it would appear that this boy died of cholera in the village of Amleeara, and this view of the case seems to be borne out by the depositions, Nos. 43, 45, 46, 47, 50, 51, 52, 53, 54, and 55, therefore to make further inquiries in the above matter would appear to be vain. But at the time of the Settjee's death, the Settjee having placed the whole weight of his affairs in the hands of Baba Nafra, both private and pecuniary, and placed unlimited confidence in him, such being the case, and the Settannee not being with child, appears to be established from the deposition No. 93;‖ and from the same source it would appear that on the death of the Settjee, the Settannee, whilst weeping, declared that she was with child, yet no confidential person would appear to have been placed near the Settannee, or any other necessary precaution taken to place this fact beyond doubt; and further, at the time the Settannee was said to have been delivered, it would appear that advantage had not been taken to satisfy himself that the necessary signs existed, such as the flow of milk, &c., and no question is made that if the above steps had been resorted to by Baba Nafra, the doubts at present surrounding this case would have all been dispersed, and never called into existence. Baba Nafra further, in his deposition, No. 93, states with reference to the performance of the ceremony of Sheesta, Bharsa, Veenahe, &c., and that the Settannee being considered by him in the place of his mother, he did not at the time by raising objections against these ceremonies, wish to disgrace her by unnecessary exposure as the Meetapoor people had done; but it would appear that consequent upon Baba Nafra, from interested motives, omitting to take the necessary precautions by which the fair fame of his master's wife would have been upheld, and all doubts in the matter dissipated, is guilty of the commission of a great crime.

2. As to whether the child was that of a Meetapoor kollee's or otherwise, and whether the deed said to have been given by Bhannabhaee to the kollee was a genuine or spurious document, and the amount of blame attachable to each of the parties implicated in this affair, taking into consideration the proceedings already instituted in the above affair before Menfraz Ali, &c., it would appear that upon Baba Nafra being asked how it came to his knowledge that Joutabaee Settannee had procured the lad from the village of Meetapoor, Purgunnah Nuddeeyad, and what induced him to dispatch Lulloo Bhugwan to ascertain particulars, Baba Nafra, in his deposition No. 93, states that the boy being brought from the village of Meetapoor, which is situated towards Sowlee, came to the knowledge of Maha Luxmee

---

* Regarding which deposition, Joitabaee complained to the Resident at the time it was taken, that it misrepresented what she had stated, and it will be seen, on reference to para. 22 of section IV. of my report, that this deposition had likewise been tampered with.—(signed) *J. Outram.*

† *See* Appendix (N.) on the subject of this "deed."—(signed) *J. Outram.*

‡ The depositions 49 and 101, here referred to, dated 25 September 1848 and 8 September 1850, are unblushingly recorded without question by the punchayet, while, of the depositions of the same witness, No. 37 of (F.) and 104 of (H.), dated 10th and 24th September 1850, the one is unrecorded, and the other was withheld, which depositions declare, that not only the asserted confession of Joitabaee (No. 35), but also the pretended depositions of Mahluxmee (Nos. 94 and 95) were written by himself (Bugwan) at Baba Nafra's dictation, without the cognizance of either of those ladies; and, moreover, that the Durbar had perverted what he had said, and written what he had not stated in the deposition No. 101, while his former deposition (No. 49) was utterly false, written according to the tutoring of Baba Nafra.—(signed) *J. Outram.*

§ The evidence here referred to will be found in Appendix (F.), Nos. 37 and 38, as also that of Dada Meeah, relating to the same matter, No. 39. Why did not the punchayet record these depositions as they had done the previous testimony of these witnesses, instead of merely this, casually alluding to them?—(signed) *J. Outram.*

‖ Here the punchayet admit Baba Nafra's own evidence against Joitabaee, and assume it alone to be conclusive against her, whereas they discard that of relatives of Joitabaee in her behalf, because of their being related to her.—(signed) *J. Outram.*

Luxmee Settannee, and that consequently she was intending to dispatch Lulloo Bhugwan to ascertain particulars; and that when the Settannee made him acquainted* with her intentions he agreed, and that Lulloo was dispatched upon this mission, and afterwards returned; that in the meantime the Meetapoor kollie, to whom Bhannabhaee had given a written deed promising to pay to him annually the sum of 200 rupees, brought that document to his shop, and informed him that upon presenting it for payment at Bhannabhaee's, that the kollie was informed by Bhannabhaee that the boy, on whose account the money was promised, had died, consequently that he would not pay it,† and that upon the kollie becoming more importunate that Bhannabhaee gave contrary answers, and that upon the Meetapoor man having informed him of the above particulars, that he caused the man's deposition to be taken down in writing, promised to make inquiries into the affair, and bid the man to return to him after fifteen days, and that the kollie left him. Baba Nafra put in as evidence on this occasion the following documents; viz., the depositions of Kolleen Phollee, No. 1.; Kollee Ruggoonath Nutthoo, No. 2; the deed stated to have been granted by Bhannabhaee, No. 3; and the acquittance deed taken from the Meetapoor people, No. 4;‡ according to the above, four documents were produced by Baba Nafra, and with reference to which the parties cited and examined in the matter are as follows:—

1 Kolleen Phoollee, deposition No. 5.
1 Kollee Ruggoonath Nutthoo, deposition No. 6.
1 Jheetbbhaee Jhallumbhaee, No. 7.
1 Jheebhaee Hurreebhaee, No. 8.
1 Ruttonjee Bheekabhaee, No. 9.
1 Ghumman Mhowsing, No. 10.
1 Ameersing Hurreebhaee, No. 11.
1 Lulloo Bhugwan, No. 12.
1 Bharrote Phurtaub, No. 13.

9 in all.

From the above depositions, Nos. 5, 6, 7, 8, 9, 10 and 11, it would appear from Ruggoonath Nutthoo's deposition, No. 6, that his son was purchased, and agreeably to the conditions of the agreement that he had called for the amount due to him, and that upon doing so, was informed that the boy having died, no money would be paid to him; and that upon receiving such a contrary reply from Bhannabhaee, he proceeded to the shop of Hurree Bhugtee, acquainted Baba Nafra with the whole affair, received a sum of money, (*a*) delivered the deed received from Bhannabhaee, passed an acquittance deed in full of all demands to the Baba,§ and returned to his home; and Lulloo Bhugwan, in his deposition, No. 12, states, that he was induced, being deputed by Maha Luxmee Settannee to proceed to the village of Meetapoor in company with Bharrote Phurtaub of Sowlee to make inquiries regarding the parents of a boy who was with the Settannee, and that after their arrival at Meetapoor, they heard it there rumoured that the son of a kollie of that village had been conveyed to Baroda. In the deposition of the Bharrote, No. 13, the simple fact of the Bharrote having accompanied Lulloo to Meetapoor is corroborated, and nothing further, on this point. Lardbaee was to be confronted with the above named witnesses, and the proceedings were consequently stayed. Some time after, Baba Nafra caused the following individuals to be, by the Sirkar's orders, incarcerated in the Nowpoora chubbootra, *i. e.*, Lulloo Bhugwan, Bhugwan Buwanneedass, Bhyjee Ghella, &c.; and it would appear that upon these parties being

(*a*) 100 rupees. (signed) *J. O.*

* All which is denied by Mahaluxmeebaee. *Vide* Nos. 104 and 45 (F.)—(signed) *J. O.*

† Is it within the bounds of probability or even possibility that, with such vital consequences at stake, Bhannabhaee should have thus braved the man whose son he had purchased, or have placed himself further in the kollie's power, by telling him that he had purchased another boy, and telling him, moreover, from whence, as he is represented in the evidence before the punchayet to have done; or that, in order to evade paying the trifling sum of 200 rupees a year, he should have thus heedlessly risked the sacrifice of enormous wealth, which was insured to him by keeping faith with the kollie, and thus preserving his secret?—(signed) *J. O.*

‡ These documents, which the Durbar and Punchayet both unblushingly hand up as having been taken before the Guikwar, were all taken in the bank of Hurree Bhugtee on the day of his descent (*b*) of the kolies on Baroda. They were written by his confidential gomasta, Vrizbookun, and to his own dictation. For the value of the evidence contained in these documents, Nos. 1, 2, 3, and 4 of (H.), as well as of that of the Meetapoor kolies here referred to by the punchayet, Nos. 5, 6, 7, 8, 9, 10, 11, 12, and 13, *see* Appendix (M.)—(signed) *J. O.*

(*b*) *S. O.*

§ Baba Nafra states that he paid "200 *Rs.*, or thereabouts," to Kollie Ruggoonath, to induce him to give up Bhannabhaee's bond, and pass an acquittance. The account books of the firm show that 100 rupees were paid. Would the kollie have thus quietly relinquished, for the payment of 100 rupees, or even for 200 rupees, a bond which pledged to him 200 rupees per annum "so long as the firm existed," and this too after losing his son, who he was told had died?

(signed) *J. O.*

being incarcerated, they petitioned, and the Resident instituted an inquiry into the affair in his presence, when the following depositions were taken, and forwarded to the Sirkar, viz.:—

1 Lulloo Bhugwan, Bhugwan Buwanneedass, and Bhyjee Ghella, depositions Nos. 1 to 3.
1 Woman Rulleeyath, No. 14.
1 Ghumman Mhowsing, No. 15.
1 Jheetbhaee Jhallumbhaee, No. 16.
1 Rhungjee Bheekabhaee, No. 17.
1 Jheebhaee Hurreebhaee, No. 18.
1 Ameersing Hurreebhaee, No. 19.
1 Mhounlall Phurboolall, No. 20.
1 Mhunsook Lulloobhaee, No. 21.

9

According to the above, nine papers have been received, and from taking their contents into consideration, it would appear that the depositions given on a former occasion before Meer Sinfraz Ali are quite at variance with their present statements; for instance, in the deposition No. 19, of the thakoor of Meetapoor, it was stated that the son of kollie Ruggoonath of his village was not taken to Baroda, but that Lulloo Bhugwan had come to and asked him to procure the parents of the boy, who was with Joetabaee Settannee; and that upon his remarking how such a thing was to be accomplished, Lulloo remarked that money would be liberally supplied, and that upon this that he sent for the kollies of his village, *i. e.*, Ruggoonath and his wife Rulleeyath, and having held out to them the promise of a handsome reward, *i. e.*, 100 rupees, persuaded them to personate the parents of the Settannee Joetabaee's son, and having secured these parties another kollie was induced to act as the boy's uncle, and that having so far succeeded, the whole of them, with Lulloo Bhugwan, came to Baroda, and they were by Lulloo accommodated with lodgings in Hurree Bhugtee's garden; and that after they were so located for a few days, that Lulloo and Baba Nafra came to them, and instructed the thakoor that kollie Ruggoonath should take the false paper, drawn up in Bhannabhaee's name, promising to pay to the kollie the sum of 200 rupees annually, in consideration of his having yielded up to Joetabaee Settannee his son, and recover the amount from Bhannabhaee, and that after having done so, to expose the affair and disgrace the Settannee; and after communicating the above, Baba Nafra delivered to him the forged document, and which document was taken to Bhannabhaee's, and the amount demanded, but that from Bhannabhaee he got no money, but plenty of abuse; and that upon this he at once proceeded to Hurree Bhugtee's shop, and complained to Baba Nafra of the reception he had met with, and that Baba Nafra took from him the forged deed, and paid him 100 rupees, and that after receiving this sum, he returned with his people to his village, &c. This statement is corroborated by the witnesses Nos. 14, 15, 16, 17, and 18. In the deposition of Lulloo Bhugwan, No. 21, it is stated that he had been directed by Hurree Bhugtee's moonim, Baba Nafra, to proceed to Meetapoor, and by the liberal distribution of money (bribes), procure and fetch spurious parents for the lad with Joetabaee Settannee; that he proceeded to Meetapoor, had an interview with the thakoor of that village, Ameersing, and communicated to him his wishes, promising that if he succeeded in procuring parents for the Settannee's son, he would be liberally rewarded; that the thakoor, after having for a short time deliberated on the subject, fixed parents to the boy, viz., Rulleeyath Kolleen, as the mother, and a kollie as the father, but (whose name the deponent does not seem to recollect), and that he returned to Baroda with these parties and the thakoor, and that he located them at Hurree Bhugtee's garden, and that in order that no other party should have access to them, four Arabs were placed to guard the garden; and that a few days afterwards Baba Nafra accompanied him to the garden, and had an interview with the Meetapoor thakoor, and that the thakoor was asked what amount he would take for the assistance rendered by him in the affair; that the thakoor answered, 3,000 rupees; that the Baba offered 500 rupees, and that after a deal of bargaining, the amount was settled at 1,700 rupees; and that after their return from the garden, and while seated at Baba's house, that Baba Nafra directed him to get prepared a deed, purporting to be for the purchase of a lad by Joetabaee Settannee; that if the document was written by a stranger, the contents would be made known, therefore I got my son, Mhunsook, to write out this false paper in the name of Bhannabhaee, promising to pay annually, so long as the firm existed, to the kollie, the sum of 200 rupees; and afterwards the signature of Bhannabhaee being required to this document, a goomasta belonging to Baba Nafra's shop, named Mhounlall, was directed to fetch Bhannabhaee's chopra, and after many tracings from it had been made, the signature was ultimately forged, and the document given to the Meetapoor kollies, and they were directed to proceed to the house of Bhannabhaee, and try to recover the amount; and being thus directed, they proceeded to Bhannabhaee's, and upon making the demand, being abused, came and complained to Baba Nafra, and then returned home. It had been settled to give these parties 1,700 rupees, but they received about two, or two and a half thousand rupees to satisfy them for their share in this nefarious affair, and the entries of these sums obtain in the books of Hurree Bhugtee; besides which, the son of Lulloo Bhugwan Mhunsook, too, admits in his deposition having written out the above adverted to false document, but Mhounlall goomasta denies having forged the signature of Bhannabhaee to the document in question; therefore, having taken the whole of the above circumstances into consideration, it would appear that the depositions given by the Meetapoor thakoor, &c., at the investigation conducted before

Meersurfraz

Meersurfraz Ali were false, and the results of bribes given them through Lulloo Bhugwan by Baba Nafra, because in the investigation of this case, conducted both by the Resident and the Gaekwar Sirkar, it is stated by the principal in this nefarious transaction, Lulloo Bhugwan, plainly in his deposition, Nos. 3 and 28, which, upon taking into consideration, and what Baba Nafra in his deposition, No. 93, states, that upon Maha Luxmee Settannee having from rumours current in the bazars heard that the boy had been procured from Meetapoor, that she dispatched Lulloo Bhugwan; but at present, in his deposition, No. 100, he states that Lulloo Bhugwan solemnly assured him that the parents of the boy were at the village of Meetapoor, and that he could produce them, provided he received 15,000 rupees for doing so,* and that upon such assurance, Baba Nafra agreed (with the understanding that in the event of this affair going before the Sirkar, that Lulloo Bhugwan should take upon himself the whole of the responsibility of the affair, and exempt him from all blame) to this proposition, and dispatched this person, Lulloo Bhugwan, to Meetapoor, to adopt such measures as occurred to him to bring about this very desirable result; and that after the lapse of many days after the above transaction, the Meetapoor people came to him at the shop, and submitted for his inspection a document purporting to be from Bhannabhaee to the said kollie, &c. Thus is it written, but the glaring discrepancy however between this and his former deposition would appear to stamp this as utterly false. From the deposition of Phoollee Rollem and others, it would appear that a boy had been procured from Meetapoor, who had died from small-pox; this too, however, seems to be false and unfounded; and as it is not proved by Baba Nafra that upon the death of the lad from Meetapoor, immediate steps were taken to procure a lad of a similar age from the Amleeyara village, or that any party was apprised of such steps being taken, the statement made by Baba Nafra to the above effect seems to have emanated from sinister motives; and further, it would appear quite evident that Baba Nafra, having promised Lulloo Bhugwan a bribe of 15,000 rupees, got the Meetapoor people to personify the parents of the Settanee's son, and from the inimical feelings cherished by Baba Nafra towards Joetabaee Settanee, got up this false and disgraceful accusation against her; and the deed from Bhannabhaee, promising to pay to the Meetapoor kollie 200 rupees annually, and produced as evidence by Baba Nafra, bears the same stamp, and is decidedly a forgery.

The particulars of this affair are as follows:—

1. The writer of the above paper, Mhunsook Lulloobhaee, in his deposition, No. 21, and Mhounlall, No. 20, who is stated to have forged the name of Bhannabhaee to the deed in question, both unequivocally deny, the former having written the deed, and the latter having forged Bhannabhaee's name to it; and further, from the statement of Lulloo Bhugwan, and the party said to have written the paper in question, that this paper is a forgery; and which fact is still further supported by the confession of the kollie, and the statement of the Meetapoor thakoor, No. 19, viz., "that the deed was delivered to him in the garden by Baba Nafra and Lulloo Bhugwan, who directed that he should send the kollie to Bhannabhaee's house, &c."

2. Upon duly taking into consideration the statement that the Settanee, not having a son of her own, her parents, through the instrumentality of Dada Meya, procured one for her, and subsequently, by Dada Meya's advice, the child was returned to Amleeyara, made by Joetabaee Settannee.

It would appear that Baba Nafra, in his deposition, No. 93, repeats that, in the first instance, the Meetapoor thakoor came from Meetapoor, and showed him the deed with Bhannabhaee's signature. The whole of the transactions in this evil affair Baba Nafra was well acquainted with at the time, as also the truth or otherwise of the statement said to have been made by Dada Meya, that the lad was from Amleeyara; then, such being the case, the actual place from whence the lad was brought by Lardbaee and Bhannabhaee he intentionally involves in mystery, as also the circumstances under which, and place where, the Meetapoor lad had died of cholera, and how and when the lad from Amleeyara had been brought; and, further, from the fact of Baba Nafra, without giving himself the least concern to ascertain the above particulars, making the lad over to the Amleeyara kollie, it would appear that in this affair Baba Nafra expended his money through Lulloo Bhugwan, and feloniously got a false document made out for 200 rupees, in the name of Bhannabhaee, and uttered for his own ends. The above appears to be established beyond all doubt. It stands to reason that any person obtaining, under existing circumstances, from another party, a son, they would give, according to their means, any amount of money demanded at once for the attainment of their wishes; but no person, let him be the greatest fool in existence, would pass a writing, promising to settle for life, upon the party through whose instrumentality such end had been gained, any definite amount as an annual stipend, as this paper would lead to the belief of, because the party granting such a promissory obligation would be in constant dread of exposure so long as such a document be in possession of the party in whose favour it had been drawn; this is evident and indisputable; and, as a further proof of the spuriousness of this deed, the giving it up for the paltry sum of 100 rupees by the party is conclusive. Taking the whole of the above circumstances into consideration, we have come to the conclusion that this document is the result of a deep and nefarious conspiracy, and a barefaced forgery.

Having

* In Baba Nafra's statement in 1848, no mention is made of any expenditure of money whatever, excepting the 200 rupees, or thereabouts, paid to Ruggonath for Bhannabhaee's bond.

(signed) *J. O.*

Having duly investigated the whole of the above particulars connected with this case, it would appear that Baba Nafra abused the confidence placed in him by his late master, and from the love of gain conspired with Lulloo Bhugwan; and forgetting what was due to the character of his late master, laid a most villanous and diabolical plot against the wife of that master who had been so kind to him; and his partner in guilt, Lulloo Bhugwan, to screen himself from the world's censure, which he so highly merited, and to prevent the truth from transpiring, of his own accord, or by the directions of Baba Nafra, got the above adverted to deed forged to be used in evidence. From considering the evidence on this head, it would appear from the deposition of the writer of the deed in question, Mhunsook Lulloo, No. 21, that this deed had been got up by the orders of Baba Nafra; but this statement cannot be received as true, in consequence of the said Mhunsook being the son of the plotter Lulloo Bhugwan; and the party who is represented as having forged the name of Bhannabhaee to the deed, in his deposition, No. 20, denies having done so,* therefore, under the above circumstances, doubt seems to be thrown upon the statement that the deed was got up under instructions from Baba Nafra; notwithstanding which, however, from the fact of Baba Nafra not having taken steps to satisfy himself of the genuineness of the document in question previously to attempting to impose it as evidence before the Sirkar, we consider Baba Nafra guilty of an attempt to impose a false document as evidence before the Sirkar, with the view of strengthening the proofs produced by him in this case.

1. Upon Lulloo Bhugwan being examined upon this head the following evidence was elicited, viz.:—

1st. The said Lulloo Bhugwan, in his recent examination before the Sirkar, states that he had been, by Baba Nafra, sent to Metapoor for the purpose of procuring spurious parents for the son of Joetabaee Settanee; that he proceeded to that village and procured the spurious parents for the lad. Thus Lulloo deposes; whereas Baba Nafra, in his deposition, No. 100, states that Lulloo told him that he could procure the parents of the lad with Joetabaee Settannee, from the Meetapore village, provided he (Baba Nafra) consented to expend 15,000 rupees, and that this circumstance led to Lulloo being deputed to Meetapoor. Taking the above two versions of the story into consideration, it would appear that either Baba Nafra had himself, from sinister motives, dispatched Lulloo Bhugwan to Meetapoor, or that he had done so consequent upon Lulloo Bhugwan stating that the parents of the lad were at Meetapoor, and could be produced by him; but as no sufficient evidence exists, it is difficult to determine which is the true and which the false version of the story; notwithstanding which, upon due deliberation, it is evident that Lulloo Bhugwan had, from love of gain, gone to Meetapoor, bribed the parties who personified the parents of the Settannee's son, and other necessary helpers in this affair, and brought the whole of them to Baroda for the purpose of disgracing and involving in ruin a respectable and opulent family.

2d. Lulloo, in his deposition, No. 28, states that his son Mhunsook had written out this false document, purporting to be from Bhannabhaee, promising to pay to the Meetapoor kollie for ever the annual sum of 200 rupees in consideration of the said kollie's son being taken by Joetabaee Settannee, but that he was induced to get his son to make out this paper in consequence of instructions given him on the subject by Baba Nafra;† but the said Lulloo not being able to produce any evidence in support of this assertion, it would appear that he himself, from love of gain, got this spurious and forged document written.

3d. The said Lulloo, in his deposition taken recently before the Sirkar, No. 28, states that the deposition, No. 12, given by him before Meer Surfraz Ali and others is altogether false; and that by the advice of Baba Nafra he was induced to make it. From this man's own confession it is evident that, from love of gain, this man perjured himself and gave in a false deposition; therefore we find the said Lulloo Bhugwan guilty of the above three charges. Mhunsook Lulloo, in his deposition, No. 21, states that he was induced to write the above spurious document consequent upon the orders of Baba Nafra; therefore by such confession we find him guilty of having made this false document.

1. The

---

* The evidence that Baba Nafra caused the forged bond to be written, and that Mohunlal forged Bhannabhaee's signature, would convict both in any court of law; the writer of the document and Lulloo Bhugwan, who got his son, by Baba's desire, to write the paper, both swear that it was done under his personal direction, and there is much circumstantial evidence corroborative of the fact, as also the positive evidence of all the Meetapoor kolies, that Baba Nafra himself brought the forged paper to them, and instructed them what to do with it. The evidence of Munsook and Lulloo against Mohunlal would amply suffice to convict the latter of the forgery of Bhannabhaee's name, although the testimony of self-convicted criminals, but it being an object to avert the crime of forgery from the Baba, it was necessary likewise to let off Mohunlal, who, had he been convicted, would have disclosed the fact; and indeed he did send overtures to the Residency requesting to be allowed to do so, ere aware of his fortunate escape, the assurance of which of course closed his mouth. *Vide* Appendix (J.), Nos. 9 and 10.—(signed) *J. O.*

† The use to which Baba Nafra put the said document (as proved by all the Meetapoor people), and the fact that if a forged document, which the punchayet are constrained to admit it to be, it could have been of use to no one but Baba Nafra, is pretty strong circumstantial proof.

(signed) *J. O.*

1. The following individuals would appear to have been combined with the kollee, viz.—

1 Ameersing Hurreebhaee.

1 Jheebhaee Hurreebhaee.

1 Rhungjee Bheeka.

1 Jheetbhaee Jhallumsing.

1 Ghumman Mhowsing, and

1 Rulleeath Woman.

6

and consequently these six persons would appear to be guilty, as follows—

1st. These six persons deposed upon oath, before the inquiry into this matter formerly conducted before Meer Surfraz Alie and others, that the boy was their son (the son of one of their number); and recently, before the Sirkar and the Resident,* they unequivocally state that their former depositions were false, and which they were induced to make in consequence of being bribed to do so, from which we find them guilty of the charge of perjury.

2d. The boy not being his son, the barefaced statement made by him that the lad was actually his son; and again, going to the shop of Hurree Bhucktee and repeating this falsehood, with the view of basely disgracing such a respectable family, we find the above parties guilty of such falsehood.

3d. The above kollee and his gang knowing very well that the document in Bhannabhaee's name being false, and notwithstanding which having presented the same at the shop of Hurree Bhucktee, and upon such false and spurious document having realized from Baba Nafra the sum of 100 rupees, thereupon we find them guilty of wilfully making use of a false and spurious document.

Therefore of the above three charges, the above-named six persons we find fully guilty of; and from the confession of Kolleen Phoollee, contained in her deposition, No. 5, it would appear that she too is implicated in this affair; but owing to her present whereabouts not being known, to award any punishment upon her would appear to be quite unnecessary.

From having duly investigated the above case, and given it our deliberate consideration, it would appear—

1. That nobody had been brought from the village of Meetapoor by the Settannee Joutabaee, but that a spurious paper had been made out in the name of Bhannabhaee; and that a shameful plot had been concocted by Baba Nafra, Lulloo Bhugwan, Munsooklall Lulloo, the Metapoor people, and the woman Phullee Kollun; and that the whole of these parties are one and all guilty in this affair.

2. That a lad had been delivered to the Amleeyara kollees, without it being ascertained whether the said lad was the real son of the said kollees; and the amount of guilt attachable to each of the parties implicated in this inhuman affair would appear, from the proceedings already conducted, to be as follows, *i. e.*—

Regarding Baba Nafra, it is stated in Baba Nafra's deposition, which was taken before Meersurfraz Alie, and others, that the Meetapoor people had come, and upon being instructed to call again they left, at which time some goomasta came and said, "Joutabaee Settannee's mother, Laudbaee, is in the habit of visiting the havildar Dada Meya's house," upon which that the havildar had been brought and confined in the Settjee's shop; and that afterwards Nurbaram Bhatteeya came and interceded for Dada Meya, and said that Dada Meya was willing to confess the truth; and that upon this, in the presence of the Bhatteeya Nurbharam, when Dada Meya was interrogated, he confessed that, by the persuasion of Bhannabhaee, he succeeded in getting the son of Tullaveeya Dhulleeya, an inhabitant of the village of Amleeyara, and that this boy he delivered to the Sittannee; and that after being informed of the above he sent for Tullaveeya Dhulleeya, Sooreeya and Ghoojah's wife, and upon interrogating these parties they corroborated Dada Meeya's statement, and that after this the story became public; and as soon as the Settannee Joutabaee became aware of the publicity the transaction had attained, that she sent for Baba Nafra, and in his presence got Bhugwan Buwanneedas to write out in the Sirkar's name her confession that she had never had a son, but that through Dada Meya Havildar a boy had been obtained, and through whom the lad was to be restored to his parents; and that upon this paper being passed by the Settannee, the boy was restored to Tullaveeya Dhulleeya. This is Baba Nafra's statement,

* These kolies of Meetapoor are undoubtedly guilty of perjury, but as they stated in excuse (shameless indeed, but most true), though they were tempted by large bribes to perjure themselves before a Guickwar court, they, as British subjects, know too well the punishment awarded to perjury before a British functionary, to venture to forswear themselves at the Residency.

(signed) *J. Outram.*

ment, and together with which Baba Nafra produced the following depositions and documentary proofs, viz.—

1 Deposition of Havildar Dada Meya, No. 31.
1 Ditto, Tullaveeya Ghooyah, of Amleeyara, No. 32.
1 Ditto, ditto, Dhoodee, No. 33.
1 Ditto, ditto, Jhora Jhusla, No. 34.
1 Copy of the deed in the Sirkar's name, said to have been passed by Joutabaee Settannee, No. 35.
1 Deposition of Eshwar Vunnarsee Patell, of Amleeyara, No. 36.
1 Ditto, of Syud Munsook Arab, No. 37.
1 Copy of cholera mortality, return from the village of Amleeyara, No. 38.
1 Deposition of Banneeyanee Phunnee and Mehta Hurjeewun, No. 39.

9

The above nine papers were put in as evidence, of which, in the deposition of havildar Dada Meya, it is stated, that in consequence "of being requested by Bhannabhaee, the son of a Tullaveeya, of Amleeyara, was procured by me and delivered to Joutabaee Settannee;" and that the parents of the lad were recompensed with 100 rupees. And the witnesses, Nos. 32, 33, and 34, also state that the lad had been obtained by the giving of money; and the investigation in this case proceeded upon the following evidence, viz.:—

1 Havildar Dada Meya, No. 40.
1 Tullaveeya Dhulleeya Bhanna, No. 41.
1 Ditto, Jooreya, No. 42.
1 Patell Ryejee Bhachur, No. 43.
1 Tullaveeya Dhoodeeya, No. 44.
1 Nurrotum Narrain, No. 45.
1 Bheeka Hurreebhaee, No. 46.
1 Bhoodur Bhanna, No. 47.
1 Baee Phunnee, No. 48.
1 Bhugwan Beewanneedass, No. 49.
1 Eshwar Vunnarsee, No. 50.
1 Hurjeewan Ghotumram, No. 51.
1 Arab, Sallum, No. 52.
1 Ditto, Hoossein, No. 53.
1 Ditto, Syud Bin Munsook, No. 54.
1 Ditto, Mahomed Doobba, No. 55.
1 Ditto, Nurbaram Bhatteeya, No. 56.

17

The above seventeen depositions are entered in this case, from which Nos. 40, 41, 42, and 44, these four persons state, that they received 100 rupees, and then gave the boy up to Joutabaee Settannee; and further, No. 41, Dhulleeya states, that about a year ago he was sent for at Baroda, and that at Hurree Bhucktee's garden Baba Nafra delivered over to him the lad; and that having identified the lad as his son, he returned to his home with the boy; and that after two or three days the patell of his village kept him, his wife, and the lad under the surveillance of Arabs, at one Khandas's house; and that about two or three months afterwards the cholera prevailed, and having attacked the lad, he died; and that the body, agreeably to the usage amongst his caste, was disposed of, &c. The above statement is corroborated by witnesses, Nos. 42 and 44.

Regarding the spurious document purporting to be the confession of Joutabaee Settannee, in the Sirkar's name, and produced as evidence by Baba Nafra, Bhugwan Buwanneedass, No. 49, states that he wrote the paper by the desire of the Settannee; and Baee Phunnee, No. 48, states that by the orders of Joutabaee Settannee she went for and called Baba Nafra, and that Bhugwan Buwanneedass, in her presence, wrote out the confession. Nos. 43, 45, 52, 53, 54, and 55, depose that the lad died of cholera at the village of Amleeyara.

Recently at the residency, in this matter, Dada Meeya Chatoo, in his deposition, No. 57, states that he had nothing whatever to do with the fetching or procuring of any lad from Amleeyara, but that he was incarcerated, and forced by Baba Nafra to give in his former deposition regarding the lad; and Nurbaram Bhatteeya, No. 67, corroborated the statement above made by Dada Meeya regarding the circumstances under which Dada Meeya's former deposition had been exacted from him; and Nos. 58, 59, and 60, Dhulleeya, &c. state that when they were brought to Hurree Bhucktee's garden for the purpose of receiving back the lad, that they said that they had not received 100 rupees for giving up the lad through Dada Meeya, and that this lad did not belong to them, when they replied that the 100 rupees given to him is considered as charity distributed on Hurree Bhucktee's account, and therefore will not be taken back from him; and having thus said, they afterwards by force delivered the boy over to him in the garden of Hurree Bhucktee, and upon which he returned with the boy to his home. In the presence of the said Sirkar, from amongst the above four witnesses, No. 72, Dada Meeya states that Baba Nafra by force got him to depose to the above; and witness No. 73, Nurbharam Bhatteeya, corroborates his statement; and in the depositions regarding the lad's death, Nos. 61, 62, 63, 69, and 70, it is stated that the cholera

was

was raging in the village, and that the lad died of it; and in corroboration of which, in the presence of the Sirkar, witnesses Nos. 76 and 77 make the same statement. Thereupon, taking into consideration the above proceedings in this case, it would appear that Baba Nafra, in his deposition, No. 93, states that the paper No. 35 was written by Joutabaee Settannee, and that by the advice of Dada Meeya the lad was restored; and at the investigation before Meer Surfraz Alie, in the depositions of the Amleeyara people, &c. Nos. 40, 41, 42, and 44, it is stated that the child having belonged to the kollee, he was returned to the kollee; but these parties contradict themselves and one another at the residency in their depositions. And again, before the Sirkar, No. 57, Dada Meeya, and No. 67, Nurbharam Bhatteeya, both these parties state that what they stated before Meer Surfraz, Alie, &c. they were compelled to by Baba Nafra in the first instance oppressing and subsequently bribing Dada Meeya; and having given the subject due consideration, it would appear that Baba Nafra had bribed Dada Meeya, to induce him to make the statement he did before Meer Surfraz Alie, &c.; and from the deposition of Bhugwan, &c. it would appear that the lad, not being the kollee's son, was made over to him; and in the same manner, by taking into consideration the deposition of Kollee Dhulleeya, &c. Nos. 74 and 75, it would appear that in them they state, that in the deposition given in by them before the residency, Lulloo Bhugwan got them to state whatever he pleased, but that the depositions given in by them before Meer Surfraz Alie, &c. contained the truth. Therefore, having taken the above discrepancies into consideration, it is doubtful to determine whether the lad was really the son of the kollee, or otherwise. Baba Nafra writes, that on presenting the deed to the Sirkar, the lad was to be made over to the Amleeyara kollee, which is so plainly stated in the first paragraph of this report. Besides, to sum it up in a few words, if the lad was given up by the desire of the Settannee, then why did the giving up of the lad not take place in the presence of Joutabaee Settannee, her parents, and Dada Meeya. That the boy was not so given up, appears from depositions Nos. 105 and 106, wherein it is stated that the boy was forcibly stripped of his ornaments, and, after being further unmercifully treated, was made over to the kollees; from which it is evident that the boy was not given up with the concurrence or desire of Joutabaee Settannee. And, in the same manner, in each of his depositions, Baba Nafra states that he had brought the subject to the notice of the late Maharaj, and that by the said Maharaj's purwangee, and by the desire of Maha Luxameebhaee, he had acted in the matter; but the above appears to be advanced with the view of screening himself from punishment, because, had he acted under the Sirkar's purwannah from the beginning, then it is evident this case never would have been submitted to Meer Surfraz Alie, &c. for investigation; and Maha Luxamee Settannee also, in her former deposition, No. 94, states that Baba Nafra had consulted her previously to his acting in this matter; but at present, in her deposition, No. 103, she states that, whatever had been done regarding the lad by Baba Nafra, was done by him of his own accord, without consulting or obtaining her consent to the measures.* Such being the case, what confidence can be placed upon her words; and, further, this woman appears to be a simpleton. Therefore, upon taking this matter into consideration, if Baba Nafra had actually believed that this lad was spurious, and not the real son of the Settannee, at the time of this boy being given up to the kollees, Baba Nafra would have made the same known to the Sirkar, and, agreeably to the usual course in such matters, got the Sirkar to have investigated the case by one of the Government kamdars, after which he could have acted in the affair as appeared to him just and proper; but without availing himself of any of these precautions, or having any inquiry instituted in the matter, his having given up the lad to the kollees, it would appear to be established beyond any doubt that the lad was unmercifully made over by Baba Nafra to the Amleeyara kollees. Dada Meeya Havildar, in the first instance, upon oath, in his deposition, No. 41, states that, through the entreaties of Bhannabhaee and Landbaee, he procured and gave up to them the son of Kollee Dulleeya; but in his depositions subsequently given, Nos. 57 and 72, he states that he had nothing whatever to do with the procuring the lad, but that, having been subjected to much imposition and even incarceration by Baba Nafra, he was induced to make whatever statement Baba Nafra dictated to him respecting the procuring of the lad in question, and which it would appear that Baba Nafra committed to paper as having emanated from him (Dada Meeya), and called upon him, Dada Meeya, to repeat before the Sirkars and Meer Surfraz Alie, &c.; and that upon this occasion he was directed to repeat, word for word, the statement which had been prepared by Baba Nafra; that he consented to make the false statements required. Having taken the above into consideration, it appears to us that this man Dada Meeya stands convicted of having wilfully, from love of gain, perjured himself and made a false statement.

Regarding Bhugwan Buwanneedass.

The amount of blame attachable to him in the above case is as follows:—Bhugwan Buwanneedass in his former depositions before Meer Surfraz Alie, and the Sirkar, stated that

* Mahaluxmee very naturally accounts for the words in her deposition, No. 94, differing from those of her present deposition, No. 103, by declaring that she had nothing to do with writing the former, and that Baba Nafra did make use of her name, both with respect to depositions asserted to be hers, and petitions to Government, purporting to be from her, has been fully proved. The mere fact of her being a simpleton, as the punchayet assert, proves that she could not have exerted herself in the matter, as Baba Nafra had represented her to have done.—(signed) *J. Outram.*

that Joutabaee Settannee got him to write for her a declaration, confessing that she had not given birth to a son, &c.; whereas subsequently, at the residency, in his deposition No. 71, he states that he wrote out that document by the desire of Baba Nafra, &c. Upon taking both these versions of the story into consideration, it appears to us evident from this man's own confession, that he is guilty of gross and wilful perjury with reference to the statement he made regarding the writing of this false document. The taking from his grandmother's house of the son of Joutabaee Settannee by force, and without the knowledge of Settannee Joutabaee, his mother, making him over to the Amleeyara kollees, and Bhugwan from interested motives having joined Baba Nafra, and assisted him in the accomplishment of the most abominable crime, appear to us to be a guilt of the deepest dye.

According to the above, Bhugwan Buwanneedass appears to us to be guilty of the above two crimes.

Upon taking the above into consideration, doubts obtain whether the lad given to the kollee was his own son or otherwise, and under what circumstances in this matter of the forging of a document in Joutabaee Settannee's name for the forcible giving up the lad to the Amleeyara kollees, &c. &c. Baba Nafra, Dada Meya Havildar, and Bhugwan Buwanneedass appear to be guilty. Having investigated the above three charges in this case, doubts obtain whether Joutabaee actually had a son or not, and this point cannot be established; and that the Settannee having taken the son of the Meetapoor kollee, and having given him a document in her father's, Bhannabhaee, name, promising to pay to the kollee annually the sum of 200 rupees for ever, appear evidently to be the result of a deep laid plot against the Settannee, and in the same manner the lad delivered over to the Amleeyara kollee, in consequence of being the kollee's son, was delivered over, appears equally unsupported by sufficient evidence, therefore no definite conclusion can be upon the above point come to; but in the above three cases, those parties who had conspired and executed these nefarious crimes, and for the purpose of each individual's guilt being fully developed, we submit the following:—

1. Baba Nafra.

As to whether Settannee Joutabaee actually had a son or not, upon examining the witnesses produced on behalf of the Settannee, as well as those by Baba Nafra, it appears somewhat doubtful, therefore a conclusion upon this point cannot be come to; but the late Sett Bachur Sammuldass having placed unlimited confidence in Baba Nafra, and as it appears that Joutabaee, during the 10 days of mourning consequent upon the death of her husband, repeatedly made known to the females collected on the occasion her state, and which the Baba having also heard, his not having resorted to any measures to satisfy himself of the truth or otherwise of the Settannee's statement, he Baba Nafra was guilty of a great fault.

2. Regarding the bringing of the Meetapoor kollee's son, and the genuineness or otherwise of the paper said to have been passed by Bhannabhaee, and produced as evidence by Baba Nafra. It would appear from the examination of the witnesses in the case, that Baba Nafra, having secured the services of Lulloo Bhugwan, and having expended considerable sums of money, concocted a plot, and that the said false document put in as evidence by Baba Nafra is one of the fruits of the workings of such plot, and produced inconsiderately with the view of exonerating himself from blame, put in as evidence. Therefore, having taken the whole of the circumstances into consideration, and the great confidence placed by the late Settjee in Baba Nafra, it would appear that Baba Nafra is guilty of having concocted the above plot, and unmindful of the favours conferred upon him, tried to disgrace and ruin his late master's family, and for the attainment of which end, caused to be forged the above adverted to spurious document, which he had the audacity to produce as evidence to strengthen his case.

Regarding the giving to the Amleeyara kollee the lad. Whether the lad had been given over after having ascertained whether the lad was or was not really the son of the kollee to whom he had been given up, from the discrepancies existing in the evidence on this point in the depositions it is difficult to determine; but from the admission of Baba Nafra himself, that the giving up of the lad to the kollees was not the result of any demand having been made for the lad, or that any investigation was held upon the matter, it would appear that Baba Nafra is guilty of a very inhuman act. From the above, we find Baba Nafra guilty of the above-named three charges.

2. Lulloo Bhugwandass' Guilt.

The above Lulloo Bhugwan, in his deposition, states that Baba Nafra had directed him to proceed to Meetapoor for the purpose of procuring spurious parents for the lad, and had sent him to Meetapoor, at which place having arrived, he procured the spurious parents, and returned with them to Baroda. Whereas Baba Nafra, in his deposition, states that he had sent Lulloo to Meetapoor in consequence of Lulloo's saying that if he (the Baba) would expend 15,000 rupees for the purpose, he would produce the parents of the lad which Joutabaee had procured from Meetapoor. Having taken the above into consideration, it would appear that either Baba Nafra had despatched Lulloo for the purpose of procuring the

the spurious parents to the child necessary for the accomplishment of his sinister designs against the Settannee Joutabaee, or that Lulloo Bhugwan having said that he will procure the real parents of the lad with the Settannee, he had been by Baba Nafra despatched for this purpose; but as sufficient evidence is unattainable for the purpose of deciding which is the true version of the story, we find it difficult to determine from which of the above two reasons Lulloo had been despatched to Meetapoor. Notwithstanding, however, which of the two was the true cause, yet it is evident that Lulloo Bhugwan, from interested motives, bribed the Meetapoor people, and induced them by the promise of further liberal rewards, to come to Baroda, and disgrace and ruin a very respectable family.

2. Lulloo Bhugwan, in his deposition, states that he was induced to get his son, Mhunsook, to draft and write out the false document, purporting to be from Bhannabhaee to the Meetapoor people, to pay to them annually the sum of 200 rupees, by the orders of Baba Nafra; but Lulloo Bhugwan having failed to produce witnesses to establish his having been so directed by Baba Nafra, it appears to us conclusive that Lulloo Bhugwan, from interested motives, got this false document drawn out by his son, therefore we find him guilty of the crime of forgery.

3. Lulloo Bhugwan, with reference to the deposition given in by him before Meer Surfraz Alie, &c., confesses that that deposition was a false one, and that he was induced to state a falsehood in consequence of being instigated thereto by Baba Nafra; thereupon, from his own confession, we find him guilty of wilful and corrupt perjury.

For the above reasons we find the said Lulloo Bhugwan guilty of the above three charges.

---

3. Mhunsook Lulloo.

Mhunsook Lulloo having confessed that he drafted the false document in the name of Bhannabhaee, promising to pay for ever to the Meetapoor people the sum of 200 rupees annually, we therefore find him guilty of having forged this document.

4.

1 Ameersing.
1 Jheebhaee Hurreebhaee.
1 Rhungjee Bhachur.
1 Jheetbhaee Jhatlumbhaee.
1 Ghumman Mhowsing.
1 Ruggoonath Nuthoo.

The above named six persons we find guilty of the crime of conspiracy; because, in their depositions before Meer Surfraz, Alie, &c., they stated that the boy was their son; and recently, before the Resident and Sirkar they say that they had perjured themselves in their former depositions; therefore we find them guilty of the same.

2. Knowing well that the lad was not their son, they still proceeded to Baba Nafra's shop, and for a consideration did not hesitate to utter a false story, and disgrace a respectable family; therefore we find them guilty of having defamed a respectable family.

3. The above-named parties, well knowing that the document in Bhannabhaee's name was a forgery, still having presented it at the shop of Hurree Bhucktee, and received thereon 100 rupees, therefore we find them guilty of having produced a false and forged document. Thus these parties we find guilty of the above crimes.

---

5. Dada Meya Havildar.

Dada Meya having confessed recently before the Resident, that in consequence of having been deprived by Baba Nafra of his liberty, and subsequently bribed, he was induced to give in a false deposition before Meer Surfraz Alie, &c.; thereupon we find him guilty of perjury.

---

6. Bhugwan Buwanneedass.

Bhugwan Buwanneedass, in his deposition before Meer Surfraz Alie, stated that in consequence of being directed to do so by Joutabaee Settannee, he wrote to the address of the Sirkar the Settanee's confession, that she had never had a son; and recently before the Resident he confessed that he had drawn up the paper in question at the instigation and by the desire of Baba Nafra; therefore, upon his own confession, we find him guilty of perjury.

Further, this same person we find guilty of having been concerned in the forcible giving up the lad to the Amleeyara kollee for a consideration, and of being an accomplice of Baba Nafra's in the commission of the above ferocious and inhuman crime; therefore he is found guilty of the above two crimes. According to the above, the foregoing parties have been found guilty of the several crimes which they have committed, and the above particulars are submitted by us for your information, &c.

Dated Assoo Sood 11th, Sumwut 1907, S. S. 1251, Sluch 1772.
(4 August 1850).

(signed) Bhaskur Rao Wittul Khosgeewalla, Nisbut, Gaekwar Sirkar.
Bheema Shunkur Gungadur Shastree Mootallick, ditto.
Narrain Rao Mahadeo Mujmoodar, ditto.
Gopall Rao Myral, by Gunpet Rao Ramchunder, ditto.
Parruck Chooneelal Lulloobhaee, ditto.

TRANSLATE of a Copy of a Yad to the Address of his Higness the Gaekwar, from Trimbuck Shastree, Bappoo Myral Shastree, Abba Shastree Sotive, and Abbadick Sheed Poorranneck, dated Assoo Sood 13th, Sumwut 1907 (6 August 1850); and sent as an accompaniment to his Highness's Yad to the Resident, dated 15th Zilhudge, S. S. 1250, Month Assoo (22 October 1850).

HAVING been ordered by the Sirkar, in accordance with the dictates of the Shastree, to award adequate punishments proportionate with the crimes of which Baba Nafra, &c., have respectively been found guilty, we beg to submit the nature of the punishments and amount of fines to be inflicted upon each of the adverted to transgressors, agreeably to our Shasturs, viz.:—

1. Baba Nafra.

Sett Bhachurbhaee, having placed unlimited confidence upon, and entrusted the whole management of his pecuniary and private affairs to Baba Nafra, and Baba Nafra having, for the accomplishment of some nefarious end, omitted, at the time when it came to his knowledge that Joutabaee, during the period of mourning consequent upon the death of her husband, had publicly, whilst weeping, made it known that she was *enceinte*, to adopt such measures as would have established the truth or otherwise of her statement, is guilty of great negligence, and in the Shastree it is written as follows, *i. e.*—

"Those who connive at, or speak evil, or give their assent to evil doings, or refrain from prohibiting an evil act, being able to do so, are all to be considered the perpetrators of the act, and they ought to be punished or fined according to their means."

Therefore, Baba Nafra having learnt the above mentioned statement, made by Joutabaee regarding her condition, and having it in his power, omitted to institute such inquiries as to the truth or otherwise of the Settannee's statement, and having moreover allowed the name of his employer, by such omission on his part, to be scandalized and disgraced amongst the people, he has been proved guilty of the commission of, and we, according to his means, fine him in the sum of 500 rupees; but this is left to the Sirkar's pleasure.

2. Joutabaee having procured no child from the Meetapoor kollees, yet, by the liberal outlay of money, Baba Nafra having caused a false deed to be written, thereby plotting against the Settannees, abusing the confidence placed in him by his employer, and making use of the said false deed, the opinions contained in the Shastres regarding the commission of the above crimes are as follows, *i. e.*—

"Any act done with force by the parties proud of their strength, is denominated 'shas', the word 'sah' here signifies force [Na rud in the Wurhur Mugookh.] The courtiers who advocate the unjust principles; those who subsist themselves by receiving bribes, and those commit breach of trust, should all be banished.—*Vide* 'Bruhasputtee' in the 'Veer Meekodaya.'"

"Those who forge a writing relating to the subject of immovables, purchase or mortgage, should, on the fact being proved, be deprived of their tongue, hands, and feet.—*Vide* 'Vyas' in the 'Veer Meetrodaya'".

[*N.B.* This passage may also be so interpreted as to confine the above punishment to those who forge writings relating to the purchase or mortgage of immovables.]

"Death

"Death, deprivation of whole property, banishment from the town, branding and mutilation of offending parts of the body, are the punishments deserving for the crime of the 'Sahas' of the first degree. *Vide* 'Narud in the Meetahshura.'" * *Vide* para. 3.

"To be imprisoned in the secret (solitary) confinement, and to be fed by the king. —*Vide* 'Yama.'"

"Twice the punishment should be inflicted on those who cause a 'Sahas' to be perpetrated, and those who give bribes in causing a 'Sahus,' should receive four times the punishment.—*Vide* 'Yaduya Kilkye Meetahshura.'"

"Brahmins to be excluded from the punishment of death, for a Brahmin does not deserve the punishment of death.—*Vide* 'Narud Meeyookh.'"

And for the commission of such crimes as above the punishment of death, imprisonment, banishment are awarded; but Brahmins being excluded for the commission of such crimes from the infliction of corporal punishment, which we having taken into consideration, we award to Baba Nafra, according to his means, for such crimes a fine of 10,000 rupees, and banishment from the Sirkar's territories, or solitary confinement for a period of seven years, and to be fed by the Sirkars; but this is also left to the Sirkar's pleasure.

3. The lad having been delivered to the Amleeyara kollees, without measures being taken to ascertain whether he was actually the son of the kollee to whom he was delivered, therefore this being an unmerciful and brutal act, and the opinion of "Vyas," contained in the chapter on stealing, in the "Veermeertrasdaya," on this, is as follows, *i. e.*—

"One who steal a human being should be deprived of his hands and feet, and placed in the public highway.

This is the punishment awarded for the above crime; and from what is contained in the above quotation, it would appear that any person by force obtaining possession of anything, is guilty of a great crime, therefore Baba Nafra having by force and without the consent of the mother obtained possession of, and having subsequently given it to the Amleeyara Tullaveeyas Dulleeyas; therefore, as a punishment for such crime, taking into consideration that Brahmins are exempted from corporal punishment, we sentence him to pay a fine of 5,000 rupees.

According, for the commission of the above three crimes, of which Baba Nafra has been found guilty, we fine him in the sum of 15,500 rupees, and banishment from the Gaekwar Sirkar's territories, otherwise imprisonment for a period of seven years; but this is left to his Highness's pleasure.

---

2. Lulloo Bhugwan.

From the love of gain, this man went to the village of Meetapoor, and procured and brought with him spurious parents for the Settannee Joutabaee's son, got his son to write out a false deed in the name of Bhannabhaee, and perjured himself; he therefore having been convicted of the above crimes, we, having taken the above quotations into consideration, do sentence him to be fined in the sum of 2,000 rupees, and to suffer imprisonment for five years, otherwise, after the payment of the above fine, to be banished from the Sirkar's territories.

---

3. Mhunsook Lulloo.

This man having written out a false deed, of which he has been convicted, and the opinion of "Yaduya Vulkye," recorded in the "Meetakshurra," being as follows,—

"Those who commit fraud regarding scales, sunnuds, documents or coins [deserve the punishment mentioned for the 'Sahus' of the first degree."]

The punishment awarded by the above for this crime, would appear to be the levy of a fine; instead of which, however, we have thought proper to award him imprisonment for three years; but this is left to the Sirkar's pleasure.

---

4. Bhugwan Buwanneedass.

This individual has been convicted of having perjured himself, and of having been concerned with Baba Nafra in the forcibly taking away from the house of Joutabaee Settannee's mother Joutabaee's son, and other nefarious crimes committed by Baba Nafra, therefore having taken into consideration his being a dependant, we do not think it right to fine him for having been concerned with Baba Nafra in this unmerciful act, but for the crime of perjury, of which he has been convicted, we sentence him to be imprisoned for three years; but this is left to the Maharaj's pleasure.

5. Dada Meya Chotoo.

This person having from the love of gain committed perjury, of which crime he has been convicted, we sentence him to three years' imprisonment, provided it meets with the Sirkar's pleasure.

---

6. The Meetapoor Kollees, Ameersing, Hurreebhaee and others (in all six in number).

These individuals from love of gain committed perjury, and also calumniated a respectable family by falsely stating that the son of Joutabaee Settannee was the son of one of their number, and procured by the Settannee from their village of Meetapoor; further, they have been found guilty of having made use of a deed forged in the name of Bhannabhaee, knowing the same to be false, and they have all been fully convicted of the same crimes; therefore, having maturely considered the matter, we sentence all and each of them to five years' imprisonment, with hard labour; but this is left to the Maharaj's pleasure.

We have, agreeably to the Durreem Shaster, taken into consideration the nature and extent of the guilt, as also the ability of the above parties, and awarded punishments to each and every of them, subject however to the pleasures of the Maharaj's to sanction and approve of the same.

(signed) *Trimbuck Shastree*, &c.

(True Translation).

(signed) M. Battye, Assistant Resident.

(True Copy).

A. Malet, Chief Secretary.

11.

Appendices (H.) to (N.), to Lieutenant-colonel *Outram*'s Report on the Case of Joetabhaee Setanee, dated the 31st March. (No. 47 of 1851.)

Appendix (H.)

LIST of DEPOSITIONS recorded by the Punchayet, in their Report on the Case of the Son of Joitabaee Settanee, dated 22 October 1850.

No.				PAGE.
	1. Phoolie woman	25 Feb. 1847		554
	2. Kolie Rugnath	25 Feb. „		554
	3. Original leek given to ditto,	22 Dec. 1845		555
	4. Acquittance Bond passed by ditto	22 Mar. 1847		555
	5. Phoolie	18 Sept. 1848		556
	6. Kolie Rugnath	10 Nov. 1847		557
	7. Jeetsing Jalumbhoy	11 Nov. „		560
	8. Thakore Jubhoj Hurrybhaee,	12 Nov. „		562
	9. Rugjoo Bhika	13 Nov. „		564
	10. Gooman Mow Sing	11 Nov. „		565
	11. Thakore Ameer Sing Hureebhaee	12 Nov. „		567
	12. Lulloo Bhugwan	7 Dec. „		568
⊕	13. Barote Purtab	26 Nov. 1848		569
	Residency No.			
	14. [Ruleeate woman, 30	15 Aug. 1850]		
	15. [Gooman Mow Sing, 29	14 Aug. „]		
	16. [Jeet Sing Jalumbhoy, 28	14 Aug. „]		
	17. [Rungjee Beecka, 29	14 Aug. „]		
	18. [Jeebhoy Hurreebhae, 26	18 Aug. „]		
	19. [Umeer Sing Hurrybhoy 25	14 Aug. „]		
	20. [Mohunlal Purbhoodass 11	12 July 1850]		
	21. [Munsook Lulloo, 10	11 July „]		
	22. Ruleeal	17 & 20 Aug. „		570
⊕	23. Barrea Umur Sing	16 Aug. „		571
⊕	24. Rungjee Beeka	20 Aug. „		573
⊕	25. Gooman Mow Sing	20 Aug. „		574
⊕	26. Barria Jeet Singjee Jalum Sing	17 & 20 Aug. „		575
⊕	27. Jeebhaee Hurreebhae	17 Aug. „		576
⊕	28. Lulloo Bhugwan	20 Aug. „		576
	29. Yusif V. Meetun	18 Aug. „		578
	30. Lulloo Bhugwan	22 Sept. „		579
	31. Havildar Dadabhoy	8 Mar. 1847		579
	32. Dullia Bhana	9 Mar. „		580
	33. Dhoodhi	9 Mar. „		580
	34. Tullaveea Joreea Jusler	9 Mar. „		580
	35. Deed of Acquittance passed by Joitabaee	21 Mar. „		581
	36. Eswur Wunarsee	15 June „		581
	37. Arab Syed bin Munsoor	15 June „		581
	38. Memo. of Deaths from Cholera in Amleeara	—		582
	39. Hurjeevun Mehta	15 June 1847		582
	40. Dada Miah	10 Sept. 1848		582
⊕	41. Dulleea Bhana	10 Sept. „		585
	42. Jonea Justia	8 Feb. „		585
	43. Ryejee Bechur	11 Sept. „		586
	44. Doolie	8 & 11 Sept. „		587
⊕	45. Nurrotum Narrayen	11 Sept. „		588
	46. Bheeka Hurribhoy	11 Sept. „		588
	47. Bhoodur Bhana	11 & 13 Sept. „		589
⊕	48. Punnee	18 Sept. „		590
⊕	49. Bhugwan Buwanee	25 Sept. „		591
⊕	50. Eswur Wunarsee	11 Sept. „		592
	51. Hurjeevun Gotumram	11 Sept. „		593
	52. Sallum Vullada Hussan	11 Sept. „		593
	53. Hoosein V. Nussur	11 & 13 Sept. „		594
	54. Syed bin Munsoor,	11, 13 & 19 Sept. „		595

No.				PAGE.
	55. Mahomed bin Doola	13 Sept. 1848		597
⊕	56. Nurbuyram Doolub	19 Jan. „		598
	Residency No.			
	57. [Havildar Dada Meah, 22	21 July 1850]		
	58. [Doodee 21	20 July „]		
	59. [Dullea Bhana 8	10 July „]		
	60. [Jareea Jusla 14	16 July „]		
	61. [Ryejee Bechur 12	16 July „]		
	62. [Nurrotum Narrayen 13	16 July „]		
	63. [Hurjeevun Gotumram 17	17 July „]		
	64. [Wissunath Sonee 18	17 July „]		
	65. [Gunga Woman 20	18 July „]		
	66. [Atmaram Luckmeeram 19	17 July „]		
	67. [Nurbhiram Doolub, 23	21 July „]		
	68. [Seetaram Gopal, 9	10 July „]		
	69. [Chous Mahomed, 16	16 July „]		
	70. [Syed Munsoor, 15	16 July „]		
	71. [Bhugwan Bowanee, 38	10 Sept. „]		
	72. Dada V. Chotoo Havildar	1 Sept. „		599
	73. Bhotia Nurbheram	1 Sept. „		600
⊕	74. Dulleeo Bhano	24 Aug. „		601
	75. Doolie	31 Aug. „		602
⊕	76. Ryejee Bechur	24 Aug. „		603
⊕	77. Banea Patell Nurotum	24 Aug. „		604
⊕	78. Punnee	8 Sept. „		604
	79. Gunga Woman	9 Sept. „		606
	80. Seetaram Gopal Sing	8 Sept. „		606
⊕	81. Joiteebaee Settanee	21 Nov. 1847		607
⊕	82. Banahbhaee Kandass,	23 & 24 Nov. „		608
⊕	83. Gunga Woman	22 Dec. „		613
	84. Khoshalee Woman	3 Dec. „		614
	85. Baee Rewa	20 Jan. 1848		615
	86. Muncha Woman	20 Jan. „		616
	87. Bechur Bhugwan	20 Nov. 1847		617
	Residency No.			
	88. [Joiteebaee 33	4 Sept. 1850]		
	89. [Larbaee 34	4 Sept. „]		
	90. [Maha Coover 35	4 Sept. „]		
	91. [Muncha 36	4 Sept. „]		
	92. Buktedass Kandass	31 Aug. „		617
⊕	93. Wamanrao Venketsh	29 Nov. 1847		618
⊕	94. Settanee Maha Luxume Baee	10 & 11 Dec. „		621
	95. Ditto, Maha Luxumee	5 Sept. „		624
	96. Sittaram Gopal Sing	24 Dec. „		625
	97. Moteeram Nucheyamud Byed	24 Sept. 1848		626
⊕	98. Turbohun Kohan Josee	25 Sept. „		628
	99. Dessaee Dyashunker	24 Sept. „		628
⊕	100. Wamun Rao Venketesh	18 Aug. 1850		629
⊕	101. Bhugwan Bowanee	4 Sept. 1847		632
⊕	102. Wamun Rao Venketesh	2 Oct. 1850		634
	103. Maha Luxmee Baee	23 Sept. „		635
	104. Bhugwan Bhowanee	24 Sept. „		635

DEPOSITIONS suppressed by the Punchayet:

1. Deposition of Punnee Woman	23 Mar. 1847		636
2. Deposition of Larbaee	26 Sept. 1848		637

Vide Appendix (F.)

Vide App. (F.)

N. B.—The twenty-six Depositions which have been tampered with, are marked thus ⊕. The portions which have been interpolated therein are denoted within brackets, thus [ ].

(signed) *J. Outram.*

No. 1.

TRANSLATE of the Deposition of Phoolee*Woman, inhabitant of Raneeya, at present residing at Baroda; taken at the Durbar, on the 11th Fagun Sood, St. 1903, at about 10 o'clock P. M. (25 February 1847).

I WAS asked whether I had brought a child for Joiteebaee Settanee; and if I had, what I knew about it I should truly state; regarding which it as follows:—Ladbaee and myself were upon very good terms, thereupon one day the Baee said, "Try and procure me a boy; I require him for Joitee." Two or four times did she thus say to me, when I replied, "that I would consider and procure a lad and give her; but that some arrangement should be made to compensate me for so doing;" to which she agreed, and Ladbaee said that I should procure a lad from a distance, and not from the city. Afterwards I mentioned the above to a colee of the village of Metapoor, who had come to this place, named Ruggonath Nuthoo, when he replied, that his wife was *enceinte;* and he agreed and went away, and about two months before his wife's confinement he came and said that (his wife's) time was up, and that I should make all the necessary arrangements regarding the same. Afterwards I communicated this to Lad Baee, who replied, "If it took some more days, it would be well, because the lad is intended for a great house, and the settlement (on account of remuneration) will be liberally made: on this point entertain no fear;" when I replied, that as soon as the child was born it would be necessary to bring it. Having thus said, I came away, and explained the same to the satisfaction of Colee Ruggoonath, upon which he went away, and many days afterwards he brought with him the boy, and came to my house, accompanied with another party, at which time it was about nine o'clock at night, and after seating them at my house I went to the house of Lad Baee, and informed her of the same, when she replied, "Go quickly and bring the boy;" when I said, "Make out the writing in the name of the Coolee Ruggoonath, and pay me down 100 rupees at once; the remainder you will have to pay hereafter." Lad Baee said, "I would make out and give a leckh, as also the money, but Joitee is not here, but will send word to her." Having said so I returned to my home, and caused the boy, who had already been placed in a basket, to be carried, and I returned there (to Lad Baee's), and agreeably to promise, the leckh was given, and I took an oath upon Shree Runchorejee, and having satisfied him, gave him 100 rupees in cash, and delivered the lad over to Lad Baee; and I, seeing this, got up from thence and returned home, and the colee at the same time returned to his home. This much do I know; what came to my recollection so much have I caused to be written, in which there is no difference.

Question. When the lad was carried to Lad Baee's what time of night was it, and what the month, date, and day of the week?—*Answer.* Of the month and date at present I have no recollection; but it was more than one and a half pore of the night (about half-past 10 o'clock); and when I returned home the choguddy was being played (12 o'clock).

After what you have stated above, what passed between yourself and Colee Ruggoonath, and what took place about the money which was not paid him?—When I asked Lad Baee she refused about the money, saying that the lad died, at which time a deal of altercation took place between myself and Lad Baee; but Lad Baee would not be persuaded, and said that the money would be required to be given to another party; when I answered, "for this amount Ruggoonath will come upon me, and I will be disgraced, therefore consider and do not let this matter proceed further;" upon which both Lad Baee and Bana Bhaee said, "If the affairs of the firm be satisfactorily arranged, then everything will be settled," and upon this assurance things went on smoothly.

Colee Ruggoonath Nuthoo states in his deposition, that "upon word being sent by Phoolee, I came," but you make no mention of having sent him word; how do you explain this?—I do not recollect about this; but what at the time occurred is true.

(signed) *Baee Phoolee Nuttoo,* Her ×.

What is above written is true.

No. 2.

TRANSLATE of the Deposition of Colee Ruggoonath Nuthoo, of the village of Meetapoor, taken on Fagun Sood 11th, S. 1903 (25 February 1847).

YOU came here and said that your son had been brought to Baroda, therefore you are required to state all the particulars of this transaction, consequently I now submit the following particulars; viz. last year I had come to Baroda, where a female named Phoolee, belonging to my zillah, and an acquaintance of mine, resides, and in consequence of such acquaintance I went to her house, when she said, "I have a job, if we succeed in accomplishing, we will be liberally rewarded;" upon which I said, "acquaint me of it;" and she replied, "a boy is wanted, and if any female of your village be *enceinte* bring her here;" upon which I said, "If the woman be brought, and she gives birth to a female child, it will lead to disgrace; therefore my wife is pregnant, but how many months advanced at the present time I am ignorant of; I shall return home, but in the meantime you should settle

---

* This witness was not produced before me, it being asserted that she is dead.—*Resident.*

settle about it;" the above passed between us, and after my departure, Phoolee may have arranged about the affair; and upon receiving word from Phoolee I again came, and had an interview with her, when Phoolee said, "I have settled everything, and it is a great house; therefore if you fetch the boy, you will be satisfied;" upon which I informed her of the number of months my wife was advanced in pregnancy, and that when the accouchement took place I would fetch the boy with me at night to her house, when she should be upon the alert and take care of the infant; the above passed, and I returned to my village; after which in a few days my wife was delivered of a son, and immediately I took the newborn and put him in a basket, and got Colee Gummon to take the basket upon his head; we came to the house of Phoolee, at which time the night was about a pore and a quarter advanced (about nine o'clock P.M.); Phoolee requested us to be seated until she went and returned, after which she went away; and about two gurries (three-quarters of an hour) afterwards she returned, and desired us to accompany her, upon which I took the boy and went with her; she went by Shree Nursingjee Maharaj's Pole, and halted before the door of Bhana Bhaee, when Phoolee informed me that I would get early the sum of 200 rupees, and having said this she delivered over to me a leckh, which was with her; at which time another female was present, whose name I know not; 100 rupees was counted and given at that time to me, and promise made to subsequently give me the remaining 100 rupees; upon which I said, "What is written in the leckh I know not, and hope no deception is intended;" upon which Phoolee swore upon Shree Runchorejee, and said that Hurree Bugtee's house was a great one, therefore that I should entertain no fears, and should say nothing, upon which I delivered the boy over to her and returned to my house; and about two or three months after, when I had come to Baroda, Phoolee said to me that my business was spoilt and the boy dead; I replied that, agreeably to promise, the money should be paid me, upon which she said that at present she could not get them to listen to her, therefore what was she to do; and I said if the child had actually died it would have come to my knowledge, but that I had heard nothing about it, and desired her to go and inform them that nothing good would result from making a noise about this affair; having thus said, she went there, and on her return desired me to go away; that she would by management get the affair arranged. Upon this I returned home, but the arrangement was not effected, therefore am I come here; and the leckh which had been given me please inspect, and bring about a settlement on my behalf; and circumstances as they transpired, so have I truly stated them, and in which there is no difference.

What is above written is true.

(signed) *Colee Ruggoonath Nuthoo.* Mark ×.

No. 3.

TRANSLATE of an original Leckh, passed to Coolee Ruggoonath, of the Village of Meetapoor, by Shee Bugtee Kandass, dated Magsur Vud 8th, St. 1902 (22 December 1845).

THE writer of this, I, Shee Bugtee Kandass, of Baroda, do promise, in consideration of my having taken your son, to maintain you for life, by yearly giving you the sum of (201) rupees, two hundred and one, which will be paid you regularly year after year, and in this matter should I make any difference, I place between us "Shree Runchorjee." What is written above is true.

(signed) *Shee Bhugtee Kandass.*

No. 4.

TRANSLATE of an Acquittance Bond, passed by Koolee Ruggoonath, of Meetapoor, to Shetjee Purshotum Bhaee Bhachur Bhaee, dated Chytur Sood 6th, St. 1903, (22 March 1847).

I, THE writer of these present, Coolee Ruggoonath Nuthoo, of the Meetapoor village, that I, from my own free will and pleasure, do write and give that my son was given to you, for which you passed me a leckh, binding yourself to pay me yearly the sum of (200) rupees, two hundred, which sum I have received; therefore I give you this present acquittance deed, that put to the present date I have no claim whatever upon you. What is above written is the truth.

The mark × of *Coolee Ruggoonath Nuthoo.*

Witnesses,

(signed) *Bharreeya Oomersing Hurreebhaee.*
Bhurreya Jeebhaee Hurreebhaee.
Bharuya Jubhaee Jallumbhaee.

Written in the presence of both the above parties, by me,

(signed) *Sha Rungjee Bheekabhaee.*

No. 5.

TRANSLATE of the Deposition of Phoolee Woman; Religion, Hindoo; Caste, Tullufidar Kollun; aged about 35 years; Occupation, Domestic Duties; Inhabitant of the village of Rannuya, Purgunnah Nuddeeyad, at present residing at Baroda, in a hired house belonging to a Koobair Brahmin, situate in Bazwadda; taken at the Guicowar Durbar, upon oath, on the 6th Vud, Bhudurwa St. 1904 (A.D. September 1848).

Question. DID the Banneeyan Larbaee get you to procure a boy for her, and if she did, state all the particulars of this transaction faithfully?—*Answer.* About three or four years ago I was in the habit of going to work at Larbaee's, upon which I became acquainted with her, and for this reason was in the habit subsequently of frequenting her place, and she, about a year and a half or two years ago, one day said to me that she had a particular business which she wanted accomplished, and asked me whether I would undertake to do it, upon which I replied, that if it laid in my power I would do it, and upon my having thus spoken, she gave me an oath upon Shree Runchorjee, to bind me to secresy, and informed me that she wanted a boy; upon this I inquired for what purpose was the boy wanted, when Larbaee replied that she wanted the boy for Settanee Joitabaee, but the boy should not be brought either from the city or its poora, but from some distant village; upon which I said that if I did this business for her, what remuneration would she give me, and what recompense would she give to the party from whom the child would be brought, when she said that she would satisfy me, and to the father of the child she would give whatever I suggested; thus, she having promised, I commenced making inquiries respecting the getting of a boy, at which time a coolee of Meetapoor, named Ruggoonath, had come to Baroda, for occupation, and being acquainted with me he came to my house, situate on the outside of the Champaneer Gate, where I at the time resided, and commenced saying that he had come for the purpose of seeking employment but had not succeeded; of this nature was the subject of his conversation, when I informed him that in a great family a male infant, just delivered, was required, and that if he could procure and fetch one, he would be rewarded; thus did I say to Ruggoonath, when he replied, that for the child of another where should he go to inquire about, but that his own wife was six or seven months advanced in pregnancy, and if she should be delivered of a boy he would bring and give him up, and after so promising, Ruggoonath returned to his own house, after which I went to the house of Larbaee and informed her that a coolee of Meetapoor, named Ruggoonath, had come to my house, and having communicated to him about the procuring of a lad, he said that his wife was *enceinte*, and in the event of her being delivered of a male infant that he would bring and deliver him to us, and that having thus promised, he had returned to his village; whereupon Larbaee said, "it was well, he will be well provided and cared for, and you also will be liberally rewarded, and made happy;" having thus said, about a month and a half or two afterwards, I went to the village of Meetapoor, and inquired of Ruggoonath what he had done respecting the lad I had spoken to him about, when he replied "that a month or 15 days still remained, but so soon as the child is delivered, I shall not fail in bringing and delivering the child up, agreeable to promise, "but a proper settlement thereon you should make regarding the same;" thus he said, when I replied, if your wife be delivered of a male child, and you bring and make him over to us, you will be provided for life, and having thus said, and having had an interview with Ruggoonath's wife, I returned to Baroda. I had made inquiries in other directions on the same subject, but was disappointed; 15 days after the above, Ruggoonath came to my house and said, "my wife has been delivered of a son;" upon which I went to Larbaee and informed her of the accouchement of Ruggoonath's wife, when Larbaee said, "send for the child," when I inquired what she intended giving to Ruggoonath, she should definitely state, when Ladbaee said that she would give Ruggoonath yearly the sum of 200 rupees, and upon leaving which I returned to my home and informed Ruggoonath about his getting 200 rupees annually, with which he appeared pleased, and inquired to which family was the boy to be given, when I informed him that Bhannabhaee's daughter, Settanee Joiteebaee, wanted the boy, when Ruggoonath agreed and went to Meetapoor, and having placed the boy in a basket, which he got another colee to carry either the second or third day, about a pore or six gurrees at night (between eight and nine o'clock P.M.) he returned to my house and informed me of his having brought the boy, when I immediately went to the house of Ladbaee and communicated to her about the boy being brought, when she said "go fetch the boy," whereupon I returned to my home, and having got the coolee to carry the basket with the child, Ruggoonath and myself went to the residence of Ladbaee and got the basket with the child kept in the front room, and I went inside and informed Ladbaee, at which time Bhannabhaee and another person were seated in the front room, and Ladbaee and myself came to the front room, and Ladbaee having taken up the basket with the child, went inside, and she gave to me the sum of 100 rupees to be given to Ruggoonath, and she also gave to me a paper, saying, "in this paper it is agreed to give to the coolee yearly, 200 rupees, and Shree Runchorjee is placed between us for its fulfilment;" she thus said, and this paper and the 100 rupees I gave to Ruggoonath and informed him that he only then got 100 rupees, the remaining 100 rupees he should come and receive two months afterwards; thus did I say to him, when Ruggoonath remarked, "what is written in this paper, I know not how to read;" when I informed him that the paper was for the 200 rupees, and that Shree Runchorjee was placed between them and the paper written thus, said to him when this Ruggoonath took the cash and the leckh and came outside and about going home, after which Ruggoonath and the coolie who had accompanied him, both returned to Meetapoor, and I also went to my own house,

house, after which the next day the people of my neighbourhood went for the purpose of cutting grass in the Chowrasee purgunnah, and I also accompanied them, and about two months afterwards I again returned to my house at Baroda, when one day this Meetapoor Colee Ruggoonath, came to my house and said to me, "the stipulated time is up, therefore cause the 100 rupees to be paid me;" whereupon I went to the house of Bhannabhaee and asked Ladbaee about it, when Ladbaee in deep dejection answered, "that boy died of small-pox, therefore why should I pay any money," when I replied, "if the boy be dead, it is your loss, but agreeably to promise, Ruggoonath will hold me responsible for the 100 rupees," and of this nature a great deal of altercation passed between us, when Ladbaee said, "one single rupee you will not get, and if you are desirous of throwing dust upon your head you should do so and leave;" thus independently did she speak, upon which, having no other alternative, I returned to my home and informed Ruggoonath that his son was dead, and that he would not get a single rupee; thus I said to him, when he replied, "I shall go to Bhannabhaee's house," when I said to him, "if you go there they will imprison you and torture you;" thus I said, when Ruggoonath returned to Meetapoor, and I went about my own affairs, after which about the ploughing month a person came to call me from the house of Hurree Bhugtee Sett; on which account I went to the Sett's house, when they inquired of me regarding the giving to the Settanee of Colee Ruggoonath's son, and what I recollected I at the time mentioned, and at Sett Hurree Bhugtee's they took my deposition down in writing, after which I was permitted to return to my home. In my present deposition there is no difference.

The mark × of the
above-named *Coleen Phoolee.*

Question. You state in your deposition that you were desired by Settanee Ladbaee to procure a boy, Joiteebaee Settanee, from without the city; therefore you are asked to state, since this was a weighty matter, what remuneration you were promised, and what you actually received from Ladbaee?—*Answer.* Ladbaee promised to satisfy and please me, but she gave me nothing.

Is there any relationship existing between yourself and the Metapoor Colee Ruggoonath; and if he be only an acquaintance, state from what time it commenced?—Ruggoonath and myself are not related, but I used to live at Ranneeya; and this Ruggoonath resides at Meetapoor, from which circumstance it is true that we were always in the habit of frequenting one another's house, and from which we became very well acquainted with each other.

Ladbaee through you passed a paper to pay yearly to Colee Ruggoonath the sum of 200 rupees; state by whom had this paper been written, and who signed it?—At the time the leckh was being written out, Bhannabhaee and another person were present, seated, but I do not recollect whether Bhannabhaee himself wrote the leckh out and signed it, or whether he got the other person who was present to write it out, and then signed it.

You state above, that in Fagun last, at Sett Hurree Bhugtee's house, regarding the giving of the Meetapoor Colee Ruggoonath's son to Bhanabhaee, you were sent for, interrogated, and your deposition written down; therefore such deposition is read over and explained to you, and you are called upon to state whether it be the same referred to by you?—The deposition given by me at Sett Hurry Bhugtee's is the same which has been read and explained to me, and it contains the truth; and no difference whatever exists in my present deposition.

The mark × of the
above-named *Coleen Phoolee.*

No. 6.

TRANSLATE of the Deposition of Colee Ruggoonath Nuttoo; Religion, Hindoo; Caste, Tullubda Colee; aged about 50 years; Occupation, Cultivator; Inhabitant of the village of Meetapoor, Purgunna Nuddeeyad; taken upon oath at the Gaekwar Durbar, on Kartug Sood 2d, St. 1904 (10 November 1847).

Question. THROUGH Coleen Phoolee, of the village of Ranneeya, at present residing at Baroda, you brought your son from Meetapoor, and delivered to some person at Baroda; and if you have done so, you should state whose son he was, and at whose house he was delivered; and how long ago did you so deliver him; and in this matter you should state truly all the particulars?—*Answer.* From the present day, about one and a half or two years ago, I, from my home for the purpose of seeking work, came to Baroda, and went to the house of Cooleen Phoolee, of the village of Ranneeya, who was residing outside of the Champaneer Gate at Baroda, and I informed her that I had come in quest of work, but that I could find none. This was I saying to her, when Phoolee told me, "At a certain great house a new-born male infant is required; and if you could procure such a child you will gain something;" when I replied, "Where am I to go and seek for another child? but my wife is *enceinte,* and upon her accouchement, should she have a male child, I shall bring and deliver him." Thus did I say, when Phoolee replied, "Since your wife is *enceinte,* fetch her here;" when I said, "Here, in a strange place, how could I bring my wife in her present state to be delivered," to which Phoolee replied, "Then when your wife be delivered, you should come and apprise me of the same." After the above I returned to my house at Meetapoor, and informed my wife, that if she should be delivered of a son he will have to be given at Baroda, when my wife answered, "If I should get a

son I will not part with him, because you might sell him to some person," when I informed her that the child was not to be sold, but to be given to a great family who will for life provide for us; and after thus explaining things to her, she became satisfied, and gave her consent. After this about two months Cooleen Phoolee came to my house at Meetapoor, and told me, "I spoke to you about procuring a boy, and fetching him to Baroda. What have you done regarding it?" when I replied that I intended, if my wife was delivered of a boy, to give him up, but that she should arrange matters for my future provision for life, to which Phoolee replied, "I shall return to Baroda, and make some definite settlement about your future provision," and having said so, she returned to Baroda; and some time after my wife's time being up she gave birth to a son, when I came to Baroda to inform Phoolee of the same; and having done so, I inquired what settlement she had made for my future provision, when Phoolee informed me that I should for life yearly receive 200 rupees, and that she had properly arranged about this, and requested me to bring my son; upon this I returned to Metapoor, and Colee Gumman, of the Jessapoor village, purgunnah Nuddeeyad, had come to my house, whom I informed that I had some business for him to do; and if he would accompany me to Baroda he would get something, upon which he assented; upon which I placed the boy in a basket, and having placed the basket upon the head of Gumman, after midnight we both left my house, and on the night of the next day about nine o'clock we reached the house of Coleen Phoolee at Baroda, and I informed her that I had brought the boy, when Phoolee said, "Sit down, and I will go to the city and return;" she left, and after being absent about two or four gurrees she returned, and requested me to take the child and accompany her, upon which myself, Phoolee, and Gumman, who carried the basket with the child upon his head, proceeded, and having entered the city by the Champaneer Gate, we went by Shree Nursungjee's Pole, and arrived with the basket containing the child at Bhanabhaee's house, and remained in the outer room, where the basket was taken from the head of Gumman and placed upon the floor, after which Phoolee went in the house, and returned again to the outer room accompanied with another female, who took up the basket containing the boy and went inside, after which Coleen Phoolee brought and delivered me a leckh and 100 rupees, which she counted and gave to me, when I said, "What is written in the leckh I know nothing about," upon which Phoolee replied, "It is written in this paper to give you yearly 200 rupees, and agreeably to which you will receive yearly, and Shree Runchorjee is between, therefore you should entertain no fear;" and when 100 rupees was given me I said, "You had mentioned 200 rupees; how is it that you have only given me 100 rupees?" when Phoolee replied, "The remaining 100 rupees you should come after two months and take;" having thus said she further added, "You had better go to your house at Metapoor," upon which both myself and Gumman immediately left, and proceeded to my home at Meetapoor; and from the money which I had received I gave four or five rupees to Gumman for his trouble, and I administered to Gumman the water of the Mhyee river, and got him to take an oath that he would not reveal to any person about the boy being given to the parties at Baroda; after which Gumman went away to his own house; after which about two months, for the purpose of receiving the remaining 100 rupees, I came to the house of Phoolee at Baroda, and demanded the remaining 100 rupees, when Phoolee went to the house of Bhanabhaee and asked for the same; and when she returned from thence she said Bhanabaee refuses to pay the money, and says your child is dead, therefore you need not expect the money, upon this a great altercation took place between Phoolee and myself, when Phoolee said to me, "If you go there they will confine and torture you," whereupon having no other alternative, I returned to my house at Meetapoor, and after the lapse of four or six months, I showed the leckh, given to me in consequence of my having made over my son to these parties, to the chiefs of my village, Jheetbhaee, Jallumbhaee, and Amer Sing Hurreebhaee, to whom also I communicated the whole of the particulars connected with this affair, when the Thakoor proposed that we should proceed to Baroda upon this business; but before this proposition was carried out, two or four months more were allowed to pass, after which, however, during the ploughing time, Thakoor Jeetbhaee, Amer Sing, Mehta Rungjee and myself came to Baroda, and we all went to the house of Bhanabhaee, situate at Shree Nursingjee's Pole, and the Bhanabhee at the time must have been at home; he did not make his appearance, but two females came out to us, to whom I said, "Pay me the money due to me, or otherwise return to me my son," upon which the females gave me no proper answer, but went inside and closed the door upon us, upon this I told them that I would go and complain, and having received no reply, I, together with the Thakoor, went to the house of Sett Hurree Bhugtee, and the Thakoor sent word by the sepoy at the door of the house, that he had a complaint to make; the sepoy returned and took us all up-stairs, when the Thakoor informed them of the whole of the particulars regarding the giving up of my son, and showed them the leckh, upon which Baba Sahib said, "Do not make a noise about this affair, but I shall make inquiries regarding it, and if I find it to be true, I will give you what has been promised, and you should call again upon me in a month or fifteen days hence," and after saying so he caused my deposition to be taken down in writing, and bid us go away, upon which myself and the Thakoor returned to our homes, and after fifteen days we again came to Baroda, and went to the house of Sett Hurree Bhugtee, and had an interview with Baba, who informed us that my son was dead, therefore I would not get the amount promised yearly, and he offered me the 100 rupees which remained due to me, provided I gave up to him the leckh which I held. Upon this I consulted with the Thakoor and agreed to take 100 rupees, which was counted and given to me; I received this money, and gave an

acquittance

acquittance bond to Baba, which Mehta Rungjee wrote out in my name, and Thakoor Amer Sing Hurreebhaee, Jeetbhaee Jallumbhaee, and Jeebhaee Hurreebhaee, signed, as attesting witnesses, and Mehta Rungjee signed my name to this deed, as also the leckh passed to me by Bhanabhaee, I gave to Baba Nafra, and we all returned to Metapoor. The above is truth of what occurred.

(signed) *Colee Ruggoonath*,
In the handwriting of Mehta Rungjee

Witnesses,
(signed) Vukeel *Kandass Eshwurdass*,
Vukeel *Ootum Hurrukjee*.

Question. Does any relationship exist between yourself and Coleen Phoolee of Ranneeya? —*Answer.* Between myself and Coleen Phoolee, no relationship exists, but we belong to the same caste, and work in neighbouring farms, therefore we frequent one another's house, and are consequently acquainted.

It appears, regarding this matter, you had two or three interviews with Phoolee, state whether on these occasions you ever inquired of Phoolee to whom the child was to be delivered?—In the first instance, Phoolee indefinitely stated, that the child was to be given to a respectable family, but when I had brought my son to Phoolee's house, Phoolee definitely stated, that the boy was to be given to Settanee Joiteebaee, the daughter of Bhanabhaee, and having thus said, caused the boy to be conveyed over to Bhanabhaee's.

How far is your village situated from hence?—About fifteen or sixteen koss.

When yourself and Colee Gumman had brought the boy to Baroda, did your wife also accompany you?—My wife did not accompany us, but we fed the boy with goor, diluted in water on route.

When you were bringing the boy to Baroda from Metapoor, did anybody meet and interrogate you on the road?—Many people were going to and fro in the road, but no one interrogated me.

You have above stated, that you entered the city by the Champaneer Gate; upon doing so, were you not spoken to by the guards there stationed?—Many people were at the time passing in and out of this gate, when we entered, consequently we were not interrogated.

Phoolee states, in her deposition, that she, yourself, and others went to Bhanabhaee's to deliver the boy, and that in the outer room at Bhanabhaee's, himself and other two persons were seated, and you have above stated, that you caused the basket to be placed upon the floor of the outer room, and Phoolee went inside and returned with another female who took the basket with the child inside, and that Phoolee delivered to you the leckh and 100 rupees, thus have you stated; consequently a difference exists between yours and Phoolee's statement; how do you explain this?—In the outer room, one or two persons were seated with whom I am unacquainted, and this is a transaction of many days; I depose from memory.

The boy brought forth by your wife you had brought to Baroda, therefore did not your neighbours and relations make inquiries about the new born?—When inquiries were made by my relations and neighbours, I informed them that the child died soon after being delivered.

You state above, that you acquainted the chief of your village about your not being paid on account of having given up your son after the lapse of four or six months, therefore you are called upon to explain why you did not do so at once?—If immediately I had intimated the circumstance to the chief of the village, my caste people would have become cognizant of the fact, and expelled me from my caste, therefore I was prevented informing anyone of the occurrence, and when I did do so, after the lapse of four or six months, I did so to the chief, in hopes of getting the money when the Thakoor promised to accompany me to Baroda, and exert himself in my behalf. In what I have above stated there is no difference.

Dated Kartugsood 3d, Sumvut 1904 (11 November 1847).

(signed) *Koolee Ruggoonath*, by Mooljee Poonjat.

Witnesses,
(signed) Sepoy *Deveesing Buctawarsing*.
Jassood Annajee Khodajee.

Question. You have stated above, that in consideration of your giving up your son to Bhanabhaee, he passed to you a leckh, promising to pay you yearly for your maintenance the sum of 200 rupees, and which you returned upon receiving from the house of Parruk Hurree Bhugtee the 100 rupees remaining due to you; and further, upon doing so you gave, written by the mehta of your village Rungjee, an acquittance bond; thus you have above stated; therefore, this day, you are shown the leckh and acquittance bond, which you are desired to inspect, and state whether you recognize them as the same which you passed, and the marks which were made by you?—*Answer.* I have inspected the leckh and acquittance bond, and recognize the leckh as the one given me at Bannabhaee's, and returned by me at Sett Hurree Bugtee's, and the acquittance bond as the one I caused to be written and gave at Hurree Bugtee's, and the marks as those made with my own hands; I have inspected and recog nized them as one and the same.

Dated Kartag Sood 5th, Sumvut 1904 (13 November 1847).

(signed) *Ruggoonath Nuthoo*,
In the handwriting of Rungjee.

Witnesses,
(signed) Vukeel *Kandass Eshwurdass*.
Vukeel *Ootum Hurruckjee*.

Question. You have stated, that when people inquired about the child brought forth by your wife, you said that he had died, and that afterwards, in consequence of not having

received the remaining 100 rupees, that you disclosed the particulars to the thakoor of your village Amersing, &c., and requested them to accompany you to Baroda for the recovery of this sum; therefore you are asked whether, at the time you mentioned the circumstance to the thakoor, he did not evince any doubt, and question you on the subject, and if you say he had so questioned you, state how you managed to satisfy him?—*Answer.* At the time when I mentioned the subject about the money due to me for having given up my son, the thakoor remarked that "your son, after having been born had died, I had so learnt, and now you say that you gave the lad to parties at Baroda; how is this?" I answered, that from love of gain I gave the lad away at Baroda, and had made an excuse that the boy had died to satisfy the people; but in proof of my having given the boy away I hold a leckh, passed to me for my maintenance for life, which inspect; and having said so, I showed him the leckh, and further took an oath, and got Kollee Yumman to prove the same; upon which the thakoor became satisfied, and promised to accompany me to Baroda. Dated as above.

(signed) *Ruggoonath Nuthoo.* ×
In the handwriting of Runjee, by order of the deponent.

Witness as above.

Question. You have above stated that your deposition had been taken formerly in writing regarding the particulars of the giving away of your son at Parruk Hurree Bugtee's house, therefore at present, that deposition is read over and explained to you, and you are called upon to state whether it be the same?—*Answer.* Yes; the particulars of this deposition being read and explained to me, I have heard and find that it is the same which I had deposed to at Parruk Hurree Bugtee's house.

Dated Kartugsood 7th, Sumvut 1904 (15 November 1847).

Signed as above.

At the time when you had gone to the house of Bannabhaee, accompanied with the Metapoor thakoor and others, did you take along with you Koolun Phoolee?—Upon the first occasion, when I came to take the balance amount due to me, Koollun Phoolee frightened me, for which reason, without going to the house of Phoolee, I went direct to the house of Banabhaee, accompanied with the thakoor and others. Dated as above.

(signed) *Ruggoonath Nuthoo,*
In the handwriting of Rungjee, by order of deponent.

No. 7.

TRANSLATE of the Deposition of Jeetsing Jallumbhaee; Religion, Hindoo; Caste, Koolee Bharreeya; Occupation, Village Chief; aged about 40 years; Inhabitant of the village Jessapoor, Purgunnah Nuddeeyad; taken upon oath at the Guicowar Durbar on the 3d Kartug Sood, St. 1904 (11 November 1847).

Question. THE Meetapoor Koollee Ruggoonath having deposed that he had given his son away at Baroda, and that you had on some occasions accompanied him regarding the above affair to Baroda, therefore, if you had done so, you should state all the particulars which transpired?—*Answer.* One day in the month of Kartug or Assoo of last year, Koolee Ruggoonath having mentioned to Ameersing Hurreebhaee, Jeebhaee Hurreebhaee, and Tullatee Rungjee, something about this affair, they brought him to me, when the said Kollee Ruggoonath commenced saying that he had, through Koollun Phoolee, given his son for Joiteebaee Settannee, daughter of Bhanabhaee, residing near the Nursingjee's Pole at Baroda, and that for so doing he had received a leck, promising to pay him yearly for life the sum of 200 rupees, and 100 rupees in cash they paid him at the time, and promised to give 100 rupees which remained, but that upon his going at the stipulated time for this amount, they refused to give him it, and spoke harshly to him, saying, that the boy had died, and frightened him, upon which, that he had come away, therefore he asked me how he should act. Upon his speaking in this manner, I desired him to entertain no fears, and promised to accompany him, and this matter properly settled, and that if I should fail to persuade them, I would bring the matter before the Sirkar; and about two or four months after the above conversation, in the month of Fagoon, myself, Koolee Ruggoonath, Thakoor Amersing, Tullatee Rungjee, and others came to Baroda, and Ruggoonath pointed out in Nursingjee's Pole, the house where he had delivered his son; we went to this house and inquired for Bhanabhaee, when a person came to one of the windows of the upper story, and asked us what business we had with Bhanabhaee, upon which we replied that we had come for the
S. O. recovery of the amount due for the purchase of the son of one number, and that if the money was not forthcoming, to return the boy, upon which this person left the window and went away, and the females who were on the ground floor present, gave us no proper answer, but closed the door and went away, upon which I informed them that I would go and complain, and having thus said, we came from thence to the house of Hurree Bugtee, and we sent word by the peons stationed at the gate that we were desirous of preferring a complaint. The peons requested to be informed of the nature of our complaint, but we told them that
S. O. would communicate it to the Sett's karbarree, upon which one of their number went upstairs, and having obtained permission, returned and conveyed us to Baba Sahib, to whom, in the presence of 10 or 12 Banians, who were then seated, I communicated that a kollee of Metapoor, named Ruggoonath, had through Kollun Phoolee sold his son to the daughter of Bhanabhaee Joitabhaee Settanee, and had in return received 100 rupees in cash, and a

leck

leck promising to allow him for life yearly the sum of 200 rupees, and that upon the said kollee going to demand the 100 rupees which remained due to him of the first instalment, they refused payment, and I requested that he would cause them either to pay this amount, or come to some settlement, otherwise that I would complain to the Sirkar, when Baba Sahib replied, "Do not make a noise about this affair, and I will make inquiries and bring about an amicable adjustment, and in the meantime go away, and come to me again in a month or fifteen days." Thus he explained and said to me, upon which the whole of us who had come returned again to Meetapoor, and within a month after myself, Rungjee Tullatee, Ruggoonath Koolee, &c., came again at Hurree Bugtee's, at Baroda, and had an interview with Baba Sahib, who said to us, "That boy is dead, therefore you will not get yearly the sum promised, but the balance, 100 rupees, accept;" upon which, having considered upon the subject, caused the 100 rupees to be given to Kollee Ruggoonath, and induced the kollee to give an acquittance bond, as also the leck for 200 rupees. The acquittance bond was written by Mehta Rungjee, and myself, Amersing Hurreebhaee and Jeebhaee Hurreebhaee, us three persons signed this bond as attesting witnesses, after which we returned to our respective homes. Thus did the particulars transpire which I have deposed to. S. O.

At the time yourself and others came to the house of Bannabhaee for the purpose of demanding the money for the boy, how many by the neighbours were present?—At that time 10 or 15 persons, both males and females, were at the time there congregated, with whom, however, I had no acquaintance. S. O.

Yourself, Ruggoonath, and others had gone to Hurree Bhugtee's, and there mentioned the particulars regarding the boy; at that time were the Mhajuns called and consulted?—When we made this affair known in the first instance, 10 or 15 Banians were present, seated, who made me repeat to them the particulars of the affair about the boy, and when I went again a second time at Hurree Bugtee's, the setteyas of the Mahajuns were sent for, who, when they came, made me repeat the above particulars to them, and upon my doing so the Mahajuns said, "In the caste of us Banians, a koolee's son has been received, which is a very improper act," &c., after which I was dismissed.

When you had come on the first occasion, where did you put up at, and when you came a second time where?—The first time we had put up at the Chowree Dhurrumsalla, which place we used to come to Baroda, and on the second occasion we slept upon the bridge at night, and returned to our village the next day.

On the two occasions of your coming to Baroda, did you get your supplies from any particular Banian's shop?—No; we brought from our homes our food.

When the koolee informed you of the transaction regarding the giving away of his son, did you make the same known to the mamlutdar of your purgannah?—This boy had not been sold, but given up for the purpose of securing a maintenance, therefore I did not report the circumstance.

There is no difference in what is above stated.

Dated Kartug Sood 3d, Sumvat 1904 (11 November 1847).

(signed) *Jeetsing Jallumbhaee Bharreeya*, Thakore, in the handwriting of Hurree Gungadhur, Deponent × mark.

Witnesses,

(signed) Sepoy *Deeveesing Buktaversing*, in his own handwriting.
Jhassoos *Annajee Khodajee*, by Daveesingjee.

Question. You have above stated that 100 rupees was taken from Sett Hurree Bugtee and given to Koollee Ruggoonath, and that after the said koolee had received this money he caused an acquittance bond to be written out and given, and also that he returned the leckh, promising to pay him 200 rupees annually, therefore you are asked if this leckh and acquittance bond be shown to you whether you would be able to recognize them?—*Answer.* I am uneducated, therefore if you read and explain the contents of these papers to me, I will hear and make known.

The leck promising to pay annually the sum of 200 rupees, and the acquittance bond given by Koollee Ruggoonath, have been read and explained to you. These you are required, having inspected and heard read, to state whether they be the same or otherwise?—The leck and acquittance bond read and explained to me I have seen and heard, and make known, that the leck promising to pay yearly the sum of 200 rupees which has been shown me, and which Koolee Ruggoonath returned at Hurree Bhugtee's, is the same leck, and the acquittance bond passed by the said koolee, upon which he had traced the resemblance of a sword, and I caused my signature to be written upon it by Tullatee Rungjee, is the same.

There is no difference in what I have above deposed to; Kartug Sood 5th, Sumvut 1904 (13 November 1847).

(signed) Thakore *Jetaboy Jallumbhaee Rungjee*, his × mark.

Witnesses,

(signed) Vukeel *Kandass Eshwurdass.*
Vukeel *Ootum Hurjee.*

Question. Ruggoonath Koolee in his deposition states, that he had given his son up in the house of Bhanabhaee therefore you are asked whether this Ruggoonath's wife had been *enceinte*, and whether she had been delivered of a son, and whether the above facts had ever come to your knowledge?—*Answer.* The wife of Kolee Ruggoonath, named

Rulleeyath, when I used to come to sit at the "village chowree" at Meetapoor, I have seen pass and repass for the purpose of carrying water, &c., and she was *enceinte*, which I personally witnessed, and of her having given birth to a son, who after seven or eight days had
S. O. died; I had been at the time communicated to me.

You state that it had been communicated to you at the time that Koolee Ruggoonath's wife had been delivered of a son, who had subsequently died, and in your present deposition you have above deposed that Ruggoonath informed you that this son of his he had given away at Baroda, and asked you to accompany him for the purpose of recovering the sum of 100 rupees which remained due to him; on this account, therefore, did no doubt occur to prevent you from accompanying Ruggoonath to assist him to recover this money?—Ruggoonath had informed me of all the particulars regarding the giving away of his son at Baroda, and he showed me the maintenance leck, still I entertained doubts, butthis Ruggoonath took an oath, and got Koolee Gumman to bear witness, upon which it occurred to me that Ruggoonath had stated an untruth about the death of his son, and from love of gain he had given away his son, from which I believed what he said, and accompanied him to Baroda.

There is no difference in what I have here deposed to.

Dated as above.

(signed) *Jheetbhaee Jallumbhaee*, by *Rungjee* × mark.

Witnessed as above.

No. 8.

TRANSLATE of the Deposition of Thakoor Jeebhaee Hurreebhaee, of the Hindoo Religion; Caste, Barreeya Kollee; Occupation, Chief; aged about 30 years; Inhabitant of the Village of Meetapoor Pungh Nuddeeyad, taken upon oath at the Gaickwar Durbar on the Kartick Sood 4th, Sumvut 1904 (2 November 1847).

Question. RUGGOONATH KOOLLEE had intimated to you the particulars of his having given away his son at Baroda, and you accompanied him to Baroda, therefore if you had so accompanied him, you are called upon to state all the particulars of your having done so?—*Answer.* About 10 or 11 months ago, one day myself, my brother Amersing, and Tallatee Rungjee, were seated at the village chara, and Ruggoonath Kollee came there and commenced saying that he had given away his son to the daughter of Bhanabhaee Joeetabaee Settanee, residing at the Narsingjee's Pole at Baroda, through the Ranneeya Kolleen Phoollee, and that he had in return received a lekh, promising to pay to him for life annually the sum of 200 rupees, and that they had promised to pay to him 200 rupees upon the delivery of the boy, but that they had only given him 100 rupees, and promised to give him the remainder after a time; but that upon his going at the appointed time for the 100 rupees, that they refused payment under the plea that the boy had died, and that under such plea they refused payment, and therefore requested that we should accompany him to Baroda, and bring about an adjustment of his claims; thus he spoke to us, in deep dejection; whereupon the whole of us, together with the kollee, proceeded to the village of Jassapurra,
S. O. of the Nurreeyad Purgh., where my elder brother, Jeetsingjee, resides. We went there to him, and informed him of all these particulars, when he said, "Well, let us proceed to Baroda, and exert ourselves on the kollee's behalf, and if we fail to get the parties to come to a settlement, we shall then bring the subject to the notice of the Sirkar." And after this, about two or three months, myself, Jeetsing, Tullatee Rungjee, Amersing, Kollee Rungoo-
S. O. nath, and Kollee Gumman, together, proceeded at Baroda, and Kollee Ruggoonath pointed out to us the house of Bannabhaee, situated in the Nursingjee's Pole, where we went, and called to Bhanabhaee, upon which a person came to one of the windows of the upper story, and asked us what business we had with Bannabhaee, we replied, "Pay the money due for the boy who had been purchased from Kollee Ruggoonath, otherwise return the boy;" upon hearing this, without making any answer, he went away, and the females who were down stairs gave us no satisfactory answer, but went inside and closed the door upon us, when I
S. O. said, "Since no one will given an answer I shall go complain at the Sett's;" and having said so, the whole of us went to the house of Hurree Bucttee, and sent word by the peons stationed at the gate that we had a complaint to prefer, when one of their members having gone upstairs, and obtained permission, returned and conveyed us upstairs, where we saw the Sett's karbaree, and about 20 or 22 other persons seated, to whom I said that a kollee of our village, Raggoonath's son, through Kollee Phoollee, had been purchased for the daughter of Bannabhaee Jooeetasettannee, and a leck passed by them to the said kollee, promising to allow him annually the sum of 200 rupees for life, and that they had paid him at the time 100 rupees, and promised after a certain space of time to pay him a further sum of 100 rupees, but that, after the lapse of the stipulated time, upon the said kollee making his demand, that they refused payment, and consequently I requested that the karbaree would cause this balance to be paid, or the boy returned, otherwise that I would complain. When I thus said, the karbarree replied, "Make no noise in this affair, and I will, after inquiry, if I ascertain your statement to be true, bring about an adjustment, and in the meantime go away, and come to me again after 20 or 22 days." Thus he explained and said to me, whereupon we all returned to Meetapoor; and about 20 or 25 days afterwards, myself, my brother Amersingjee, Tullatee Rungjee, Jeetsingjee, and Kollee Ruggoonath, and others, came again to Baroda, and had an interview with the said karbharee, at Hurree

Bucttee's,

Bucttee's, and he informed me that the boy was dead, consequently the annual stipend promised would not be paid, but desired me to receive the 100 rupees which remained due, and return the leckh; and having taken the above into our consideration, caused the 100 rupees to be given to kollee Ruggoonath, and got the said kollee to return the leckh for the stipend of 200 rupees, and pass an acquittance bond. This acquittance bond was written out by Tullatee Rungjee, and which myself, my brother, Ameersing and Jeetsing, signed as attesting witnesses, and afterwards we returned to our respective homes; thus did the particulars transpire which I have deposed to. There is no difference in what I have above deposed to.

(signed) Thakoor *Jetbhaee Hurreebhaee.*

Question. At the time you and others went to the house of Bannabhaee, situated in Nursingjee's Pole, for the purpose of demanding the money for the boy, how many persons were there assembled, and who were they?—*Answer.* About 12 or 15 individuals, both males and females were there congregated, but I know not who they were.

Yourself, Ruggoonath, and others had gone to Hurree Bhucttee's and mentioned all the particulars about this boy; on this occasion were the Mhajuns people sent for?—When I first mentioned the subject, 10 or 15 Banias were present, seated, who made Ruggoonath repeat to them the particulars about the giving away of the boy; and when we went a second time about the boy's affairs, the setticy, as of the Mhajuns, were sent for, and caused the story about the boy to be repeated in their presence, and after hearing which, the setteeyas commenced saying, "In our Banian's caste has a kollee's son been admitted, which is a very improper act;" thus were they saying when we were dismissed.

You state above that from Sett Hurreebhucttee's you caused 100 rupees to be paid to Kollee Ruggoonath, and that the said kollee passed an acquittance bond, and returned the leckh which he had for 200 rupees annually; thus you have stated; therefore you are shown this leckh and acquittance bond, and desired to inspect and inform us whether these be the same documents adverted to by you, or otherwise?—Having seen the acquittance bond, I declare it to be the self-same one which Kollee Ruggoonath got written out by Tullattee Rungjee; and further, the second attesting witness is my signature, and in my handwriting; and the stipend leckh for 200 rupees, which has been submitted for my inspection, I declare to be the same which Kollee Ruggoonath showed me at Meetapoor, and which he subsequently delivered at Hurreebucttee's.

There is no difference in what I have above deposed to.

Dated Kartick Sood 5, St. 1904 (13 November 1847).

Witnesses. (signed) Thakoor *Jitbhaee Hurreebhaee.*

(signed) Seepoy *Daviesing Bucktawarsing.*
Vukeel *Kandass Eshwurdass.*
Ootum Hurkjee.

Question. Ruggoonath, in his deposition, states, that he gave up his son at Bannabhaee's at Baroda; therefore you are asked whether this Ruggoonath's wife, being *enceinte,* and subsequently delivered of a son, ever came to your knowledge?—*Answer.* The wife of Ruggoonath, named Rulleeath, I have seen pass to and fro for the purpose of transacting her domestic affairs, upon occasions in which I used to go and sit in the Mettapoor village chowra, and she appeared to be *enceinte,* and it was also brought to my knowledge that she had been delivered of a son; and also I learnt that this child had died five or seven days after being brought forth.

You state that Ruggoonath's wife being delivered of a son, and of the subsequent death of the boy had been communicated to you at the time, and at present you state that Koolee Ruggoonath informed you that he had given his son at Baroda, and of the sum promised to him for this business 100 rupees still remained due, for the recovery of which he asked you to accompany him. Therefore, how is it that you placed faith upon what Ruggoonath had said, and accompanied him to Baroda?—Ruggoonath Kollee showed me the stipend leckh obtained for having given up the boy; then it is true that I entertained doubts; but upon the said Kollee Ruggoonath having taken his oath, and got Kollee Gummon to bear witness, it occurred to me that the said kollee stated a falsehood about the death of his son, and from love of gain gave the boy away; therefore I placed faith in what he said, and accompanied him to Baroda.

There is no difference in what I have above deposed to.

Dated as above.

Witnesses. (signed) Thakoor *Jeebhy Hurreebaee.*

(signed) Vukeel *Kandass Eshwurdass.*
Vukeel *Ootum Hurkjee.*

No. 9.

TRANSLATION of the Deposition of Rungjee Bheekaboy; Religion, Hindoo; Caste, Dussa Kuddayita Banian; Occupation, Karbarree; aged about 35 years; Inhabitant of Mahomedabad, and at present residing in the village of Meetapoor, of the Nerriad Purgunnah; taken upon oath at the Guikwar Durbar, on the Kartick Sood 5, St. 1904 (13 November 1847).

Question. THE particulars of the transaction regarding the giving away of his son at Baroda, the Meetapoor Kolie Ruggoonath would appear to have communicated to you, the thakoor, and others; and further, it would appear that yourself, the thakore, &c., accompanied the said kolie to Baroda; therefore, if such be the case, you are called upon to state all that occurred truly?—*Answer.* About the month of Assoo, or Kartick, of last year, myself, Thakore Amersing, and Jubhaee, were seated in the Meetapoor village chowra, at which place Kolie Rugnath Nuthoo came, and having called me aside, commenced saying, that his son, through the Ranneya Kolun Phoolee, he gave away at Baroda for Joiteebaee Settanee, the daughter of Bhanabhoy, residing at Shree Narsingjee's Pole, and received a stipend leck for 200 rupees annually to be paid to him, and that the time he gave his son up at Bhanabhoy, he received 100 rupees, and was promised another hundred at some future time; and that having called at the stipulated time for the recovery of this balance, they refused payment, and further, would give him no direct answer, asserting that the child had
S. O. deeds, &c.; thus did he give me the particulars of this transaction, and requested that I should intercede with the thakore, and induce him (Kolie Rugoonath) to go to Baroda for the recovery of this amount; and the kolee having spoken so very pitifully, I mentioned the whole particulars to Thakoor Amersing, when the thakore said, "Come, let us go to Jussapoor, and acquaint my elder brother Jutsing of the same, and agreeable to the decision we may, after consulting him, come to, so shall we act;" and after so saying, Ameersing, Jubhoy, myself, and Kolie Rugnath, went together to the village of Jessapoor, and informed the Thakore Jutsing of all the particulars regarding the affair of the said Rugoonath's son, whereupon Jeetsing replied, "We will go to Baroda, and exert ourselves in this business; afterwards, it depends with your luck;" and about three or four months afterwards, Thakoor Jutsing, Amersing, Jubhoy, myself, Kolie Rugoonath, and Kolie Gumman all came to Baroda, and Kolie Rugoonath took us to Bhanabhoy's house situated in Nursingjee's Pole, and we called to Bhanabhoy, but he did not come out to us, but two females came out, to whom we said, "This Ruggoonath's son has been delivered to you, and the money remaining due on this account, why do you not pay? liquidate the same, otherwise return to him his son;" but these females made no reply, but went inside and shut the door upon us, when we said, "Since you gave us no answer, but secrete yourselves in the house, we will now go to the Shet's house and prefer our complaint;" and upon this saying also they made no reply, upon which the whole of us went to the house of Hurry Bhugtee, and sent word by the peons at the gate that we had a complaint to make, upon which the peons went up stairs, and, having obtained permission, returned and conducted us up stairs, where we saw the Sett's karbaree and about 10 or 15 other persons, seated; they asked the thakore what did he wish to complain about, when the thakoor said that Kolie Rugoonath's son, through Kollun Phoolee, had been given for Joitubaee Settanee at Bhanabhoy's house, and had received in return a leck, promising to allow the said kolie for life a stipend of 200 rupees per annum, and that they gave the said Rugonath the sum of 100 rupees, and had promised after a time to give him Rugoonath another 100 rupees, and that at the appointed time, when the said Rugoonath had come for the purpose of this amount, Bhanabhoy spoke hastily to him, and said that the boy had died, therefore for what reason should he give him any money? and that Kolie Rugoonath had acquainted him (the thakoor) with the above particulars, therefore he had accompanied the said kolie to Bhanabhoy's house, and that failing to get any direct reply, that he had come to him (the karbaree) and desired that the karbaree would get the amount remaining due paid or the child returned; and that having thus spoken, the karbaree requested to be shown the leck passed by Bhanabhoy, which the thakoor made over to him, and after the karbarry had inspected the same, he said, "At present, go away, and make no noise about this affair; I shall inquire into this matter, and if found to be true, I will bring about an adjustment, therefore come
S. O. to me again after 15 and 20 days;" and having thus satisfied and spoken to us, we returned to Mutapoor at this time at the Sett's house; the said Kolie Ruggoonath was called upon to depose to all the particulars regarding the affair about his son, and which was taken down in writing. We returned from our homes at the time appointed with Rugoonath and the thakoor, and went to Hurry Bhugtee's, when the karbaree informed us that the boy having died, the stipend annually would not be paid, but that the 100 rupees which remained he would give, and that the leck held by Rugoonath should be returned. Upon this the thakoor having reflected, agreed to receive the 100 rupees, upon which, from the Sett's, 100 rupees was given to the said Rugoonath and received back from Rugoonath the said leck, as also an acquittance bond in the name of the said Rugoonath, which I wrote out, and Thakoore Amursing Jetsingjee, and Jubhoy, all these signed an
S. O. attesting witness, and this acquittance bond was given at the Sett's, after which the thakoore and the whole of us returned to my village of Metapoor, and up to the present time these are the particulars which I am acquainted with.

You state that when you first went with the thakore and others to the house of Bhanabhoy, two females were there, therefore you are asked whether you saw there any

males

males also?—At one of the up-stairs windows a man was standing, to whom we commenced telling the transaction about Rugoonath's son, and also inquired of him where Bhanabhoy was, to which he replied, "What business have you with Bhanabhoy?" and after saying so, he went away from the window.

When yourself and others came to Bhanabhoy, were there any other persons present?—Outside of the house, including males and females, there were 10 or 15 persons congregated, but who they were I know not.

When yourself and others had gone the first time to Hurry Bhugtee's, and revealed the particulars about the affair about the boy, were the Mahjuns Settanies sent for and made acquainted with the above particulars?—On the first occasion when we came to reveal this affair, 14 or 15 persons were present, to whom the affair about the boy we were made to communicate; and upon the second occasion, the Mahjuns Settanees were sent for, to whom also Kolie Rugoonath was directed to relate the story, upon which the said Rugoonath repeated the whole of the particulars before the Mahajuns and Sitteeyas regarding the boy, upon which they commenced saying, "In the caste of us Banians that a kolie's son has been received is a very improper act," &c., and we were dismissed.

You state above that "at Paruk Hurree Bhugtee's house, Rugoonath caused me to write an acquittance bond in his name, and returned the stipend leck for 200 rupees;" thus you have stated, therefore you are shown this leck and acquittance bond, and asked whether they be the same?—The leck for 200 rupees which Kolie Rugoonath had returned, and the acquittance bond in Rugoonath's name which I had written out with my own hands, these two original documents have been shown to me, which I have inspected, and recognise the leck as the very same, and the acquittance bond in my handwriting also as such.

No difference exists in the above deposition.

(signed) *Sha Rungjee Bheekee.*

(signed) *Hootum Hurkjee.*
Vakeel *Khandass Eshwurdass.*

No. 10.

TRANSLATE of the Deposition of Gummon Mhowsing; Religion, Hindoo; Caste, Tulpdar Kollee; Occupation, Cultivator; aged about 35 years; Inhabitant of the village of Jasapoor, Purgh. Nudeead; taken upon oath at the Guicowar Durbar on the Kartick Sood 3d, Sumvut 1904 (11 November 1847).

Question. IT should appear that you carried a basket, containing a boy, and accompanied Kollee Ruggoonath to Baroda; if this be the case you are required to state truly all the particulars of the affair?—*Answer.* About a year and a half or two ago, the day and date I do not recollect, but about the time of the year when the bajree crops are being gathered, one day I called at the house of Kollee Rugoonath, at Metapoor, when this Ruggoonath said to me, "I have to take my son to Baroda, and if you will come with me you will get a couple of rupees;" and having said so, he got me to take an oath, upon the river Mahee, that I would not discover the affair to any one; and after he had got me to take the oath, about after midnight, the said Rugoonath put his son, who had been born about two or three days before, into a basket, which he made over to me, to carry, and which basket I carried, and both of us left; and about (a pore) nine o'clock the next night, we reached Baroda, and went to the house of a koolee of Rugoonath acquaintance, situated outside of the Champaneer Gate. The kollun requested us to be seated until her return from the city, which she proceeded, and after being about two or three gurrees she returned, and desired that we should take the child and accompany her; upon which myself and Rugoonath, having the child with us, followed her through the Champaneer Gate to the house of a Banian, situated in "Nursingjee's Pole." She made us sit in the outer room of the house, and she went into the house, and when she returned to us she was accompanied with another female, who took the basket with the boy, and returned into the house; and when this female came out a second time she was accompanied with a male and another female, to Rugoonath. She gave a lekh and 100 rupees in cash, when Rugoonath remarked, "What is written in this lekh?" when they answered, that the lekh contained a promise to pay to him annually the sum of 200 rupees, and for the faithful observance of which Shree Runchorjee was placed between the parties, and after saying so, we were dismissed; upon which myself and Rugoonath left the same night, and went to Meetapoor; and after our arrival, the said Rugoonath gave me five rupees for my trouble in the matter, which having received, I returned to my own home; after which, about two months, Rugoonath met, and informed me that he had gone to Baroda for the purpose of getting the remaining rupees, but that they did not give it him, but that they frightened and turned him out, and that they said that the boy had died. Thus he said to me; after the lapse of many days, Rugoonath might have informed the village thacoor of these particulars, upon which Jeetsing Jallumbhaee, Amersing Hurreebhaee, Jeetabhaee, Hurreebhoy, Rugoonath and myself came to Baroda, and the whole of us proceeded to the house of a Banian in Shree Nursingjee's Pole, and the Banian was called to, but he made no answer whatever, but two females came out to us, to whom the thacoor and others spoke, but they also gave no direct answer, but muttering went inside, and closed the door upon us; upon which the thacoor said that he was going to complain, and having said so, the thakoor and the whole of us went to the

S. O.

S. O.

S. O. house of Sett Hurreebugtee, and sent word by the peons and the gate that we had a complaint to prefer, upon which the peons went upstairs, and, having obtained permission, returned, and conducted us upstairs, when the thacoor showed the "lekh" to Babasahib, and informed him of all the particulars of this affair, upon which Babasahib said, "Make no noise about this affair, I shall inquire about it, and if I find it to be true will bring about an adjustment of your demand; go away to your houses for the present, and about 15 or 20 days hence come to me again;" and having heard this, the thacoor and the whole of us returned to Metapoor; and about 15 or 20 days afterwards the whole of us come again to Baroda, and went to the house of Sett Hurree Bhugtee, where we were told that the boy was dead, consequently, as promised in the "lekh," the yearly stipend would not be given to the kollee, and advised to return the "lekh," and receive the 100 rupees, which was due to the kollee; upon this the thacoor and others having consulted caused the 100 rupees to be given to Rugoonath, and made the said kollee return the "lekh," and an acquittance bond written out in the name of Rugoonath by Mehta Rungjee, and attested by the thacoor, and was also given at Hurree Bhugtee's, and after doing so the whole of us, including the thacoor, returned to Meetapoor. This is all that I know about the affair.

Are you in any ways related to Rugoonath?—We are not related, but belonging to the same caste, and our fields are near to each other, therefore we are friends.

You state that the child was put in a basket, which you carried, and accompanied Rugoonath to Baroda, and put up at the kollun's, therefore you are called upon to state whether you asked the said Rugoonath for what purpose the boy was being conveyed to Baroda?—The day on which Rugoonath spoke to me about the boy, he informed me that he had an acquaintance with one Phoolee, a kollun, and that this kollun had informed him that a boy being required for a great family that he should procure one, and that as his wife had been delivered of a son, that he intended taking him to Baroda; this did he say to me, but he disclosed no names.

S. O. What is the name of the kollun at whose place, through the friendship of Rugoonath, you had put up, when you accompanied Rugoonath to Baroda?—Rugoonath was saying that this house was Phoolee's, and that the female who requested us to be seated was Phoolee; from this I conclude that this kollun's name is Phoolie.

How far is Meetapoor from Baroda?—About 16 koss.

A journey of 16 koss, how did you manage to bring the boy in a basket with his mother?—The mother of the boy did not accompany us, but on the road we fed the boy with goor water and brought him to Baroda.

You state that when you had come to Baroda you went through the Champaneer Gate to "Narsingjee's Pole," therefore, you are asked whether you were not interrogated by the guard at this gate?—Thousands of individuals were passing in and out of the gate; in the same manner we also passed, and no one questioned us.

When you were coming with Ruggoonath with the boy in the basket, did anybody meet and question?—Many persons were going to and fro on the road, but nobody questioned us.

Yourself, Ruggoonath, and Phoolie delivered the boy at a Banian's house, situated at "Nursingjee's Pole;" what is the name of this Banian, and for what purpose was the boy delivered there?—Phoolie Kollum was saying that the wife of Bechurbhaee, and daughter of Bannabhaee Joitabaee Settanee required the boy, therefore that the house was Bhannabhaee's where we should deliver the boy, therefore was the boy then delivered. There is no difference in the above deposition.

(signed) *Koolee Gummon Mhowsing*, by Moobjee Phoonjasha his × mark.

Witness.

(signed) *Daveesing Bhuchtuwasing.*
Jhasoos *Anajee Kodajee*, by Daveesing.

Question. On the occasion when the said Ruggoonath informed the thacoor of the village about the affair about his son, did he take you to the thakoor to testify to anything?—*Answer.* Yes, upon the thakoor questioning Ruggoonath he took me to the thacoor, and the thacoor asked me about Ruggoonath's son, when I informed him that I had assisted Ruggoonath in placing his son in a basket, which I carried and accompanied Ruggoonath to Baroda, this much did I say.

You state above, that before taking the boy to Baroda, Ruggoonath had caused you to take an oath, and Ruggoonath in his deposition states, that "after delivering the boy at Baroda, when we had returned home, I, Gummon, swear by the Mahee River," therefore you are asked, which of you two have spoken the truth?—Before the boy was taken, Ruggoonath informed me and spoke to me about the oath, and after delivering the boy on our return he administered the oath to me; therefore, I only spoke about the oath on one occasion.

Dated Karticksood 5, Sumvut 1904 (13 November 1847).

(signed) *Kollee Gummon Mhowsing*, by Rungjee.

Witness.

(signed) Vakeel *Kandass Eshowerdass.*
Vakeel *Hootum Hurkjee.*

No. 11.

No. 11.

TRANSLATE of the Deposition of Thacoor Amersing Hurreebhaee; Religion, Hindoo; Caste, Bharrayeea Kollee; Occupation, Chiefship; aged about 50 years; Inhabitant of the Meetapoor village, Purgunnah Nuddeeyad; taken upon oath at the Guicowar Durbar on the 4th Kartick Sood, Sumvut 1904 (12 November 1847).

Question. IT would appear that the Metapoor Kollee, Ruggoonath, had informed you of the particulars relating to the going away of his son at Baroda, and that you had accompanied the said Ruggoonath to Baroda, therefore you are required, if you had so accompanied him, to state all the particulars of the affair?—*Answer.* In the month of Assoo on Kartick last year, one day Kollee Ruggoonath Nuttoo, when myself, my brother Jeebhaee Hurreebhaee and Tullattee Rungjee were seated, came to us and commenced saying, that he had given for the daughter of one Bannabhaee, who resides at Nursingjee's Pole at Baroda, his son, and that they had given him a leckh, promising to pay him for life the sum of 200 rupees annually, and that it had been agreed upon that he should recover 200 rupees in cash at the time of the delivery of the boy; but that of this amount they had only given him 100 rupees, and had promised at some future time to pay him the remaining 100 rupees; that he had at the stipulated time called for this amount; but they did not give it him, but that they said that the boy was dead, and further, that the boy was given by him through a Ranneeya Kollun Phoolee, at present residing at Baroda, and that the whole of the above transaction was managed by the said Phoollee, and he requested me to accompany him to Baroda and get this matter adjusted, and having spoken to me in a very pitiful manner, the whole of us, together with the said kollee, proceeded to my elder brother Jeetsingjee Jallumsingjee at Jessapoora, and made acquainted with all the particulars of this affair, upon which he said, "It is well, we will go to Baroda and exert ourselves on your behalf;" and about two or three months after saying so, myself, Jeetsing, Rungjee, Tullattee, Jeebhaee, Kollee Ruggoonath, and Kollee Gumman proceeded to Baroda, and Kollee Ruggoonath pointed out to us the house of Bannabhaee situated in Nursingjee's Pole," where we went and called to Bhannabhaee, when a person came to one of the windows situated on the upper story, and inquired what business we had with Bannabhaee, when we replied, that we had come to demand the money due for the purpose of Kollee Ruggoonath's son, which had better be paid, otherwise the boy should be returned; to this the man made no reply, but left the window and went away, and the females who were on the ground floor, without giving us any direct answer went inside and closed the door upon us; at this time we said, that since they gave us no answer we could go and complain at the Sett's; to this too they made no answer; upon which the whole of us went to the house of Hurreebhugtee's, and sent word by the sepoys at the gate, that we had a complaint to prefer; the sepoys went upstairs, and having obtained permission, returned, and conducted us upstairs, where we saw the Sett's karbaree and 15 or 20 other persons seated; they inquired what we had come to complain about, when we said that, "From one village the son of a kollee, through Kollum Phollee, had been given away to the daughter of Bannabhaee Joita Settanee; a leckh, promising to allow annually for life to the father of the boy 200 rupees, had been given to the said kollee, and a balance of 100 rupees which is due to the kollee they refuse giving him, therefore, either this amount for the boy he should cause to be given to the kollee, otherwise we will go and complain to the Sirkar." Thus did we say, when the karbaree said, "Make no noise about this affair, I shall make inquiries, and if I should find it to be true, I will bring about an adjustment; therefore, at present go away, and about 10 or 20 days hence come again." Thus he explained, and said to us; upon which the whole of us returned to Meetapoor; and afterwards, within a month's time, myself, Thacoor Jeetsing, Kollee Ruggoonath, and Tullattee Rangjee, and others come again to Baroda, and called at Sett Hurreebucktee's, and had an interview with the karbaree, who informed us that the child had died, therefore the stipend, according to the leckh, would not be paid to the kollee, but he was willing to pay the 100 rupees remaining due, provided the leckh be returned to him; and upon his saying so, we consulted and caused the Kollee Ruggoonath to receive the 100 rupees, and the stipend leckh which the said kollee possessed, we advised him to give to the karbaree, which he did, and further, from the said Ruggoonath an acquittance bond was taken by the karbaree. This bond was written out by Rungjee, and attested by myself, Jeetsing and Jeebhaee, as attesting witnesses, and after this we returned home. Thus the above having transpired I have deposed to.

When yourself and others called at the house of Bannabhaee to recover the balance, 100 rupees, on account of the boy, who were all there?—Including males and females collected about the door, there was about 10 or 15 persons, but I know them not.

When yourself and others had gone to the house of Hurree Bhugtee and revealed the particulars of the affair about the boy, were the Mahjuns Setteeyas sent for on that occasion?—On the first occasion when we went there to reveal this affair, there were 15 or 20 Banians there seated, to whom the particulars of this affair we were called upon to relate, and when we had gone there a second time the Maheejuns Setteeyas were sent for there, and to them also were we made to relate the occurrence, and after hearing which the Mahjuns Setteeyas commenced saying that to admit the son of a kollee into the Banian's caste was a very improper act, &c.; and we were dismissed.

Upon the first occasion of your coming to Baroda, where did you put up at, and at what place did you do so on the second occasion?—We put up at the Channee dhurrumsulla on the first occasion, and used from thence to come into Baroda; and on the second occasion we slept over night upon the bridge, and the next day we returned to Meetapoor.

On the two occasions when you had come to Baroda, did you obtain your supplies from any particular Banian's shop?—When we left our houses we brought our food with us, therefore no necessity existed for purchasing supplies here.

When Kollee Ruggoonath had disclosed to you the particulars about his son, did you report the circumstance to the mahmutdan of your purgunah?—The boy being given for a maintenance and not sold, I did not consider it necessary to report the affair.

On the first occasion of your coming to Baroda about this affair, were your, and others of your numbers, depositions taken down in writing at Hurree Bhugtee's?—The deposition alone of Koolee Ruggoonath, regarding his son, was taken down in writing on that occasion.

You state above that from Sett Hurree Bhugtee's 100 rupees had been given to Kollee Ruggoonath, and he in return got an acquittance bond written out, which he gave, together with the stipend leckh for 200 rupees annually; thus have you stated; therefore you are shown this leckh and acquittance bond, and required after having inspected them to declare whether they be the same documents adverted to by you above?—The leckh for 200 rupees annually having inspected I declare to be the same one adverted to by me above, and the acquittance bond also having inspected I declare to be the same which Kollee Ruggoonath had caused to be written out and which he delivered, and that the signature of the first attesting witness which bears is mine.

There is no difference in what I have above deposed to.

Dated Kartick Sood 4th (Friday), St. 1904 (12 November 1847).

(signed) Thacoor *Amersingee Hurreebhaee.*

Witness.

(signed) Vakeel *Kandass Eshwardass,*
Vukeel *Hootum Hurkjee.*

Question. Kollee Ruggoonath states in his deposition that he gave his son at Banabhaee's, at Baroda, therefore you are required to state whether it had come to your knowledge that Ruggoonath's wife was *enceinte*, and had been delivered of a son?—*Answer.* The wife of Kollee Ruggoonath, named Kullvat, was in the constant habit of passing and repassing the village chowra, for the purpose of fetching water and other domestic purposes, and upon such occasions I used to see her, and she appeared to me to be advanced in pregnancy, and that she had been delivered subsequently of a son I was told of, and seven or eight days afterwards I learnt that the boy brought forth by her had died.

You state that the boy delivered of by Ruggoonath's wife having died, you at the time was informed of, and at present you state that Ruggoonath had told you that he had given his son away at Baroda, and that a sum was due to him on this account, and that he requested you to accompany him for the purpose of causing the same to be paid to him; therefore upon what grounds did you accompany him to Baroda?—When this Ruggoonath related to me the affair of his son, and showed me the stipend leckh, I had my doubts, but upon his taking an oath and getting Kollee Goommon to bear testimony, these doubts were removed, and my impression was that Ruggoonath had, from love of gain, circulated a false report about the death of his son, and had given him away, and under this impression I believed the koolee's statement, and accompanied him to Baroda.

There is no difference in what I have above deposed to.

Dated Kartick Sood 5, St. 1904 (13 November 1847).

Signed and witnessed as above.

No. 12.

TRANSLATE of the Deposition of Lulloo Bhugwan; Religion, Hindoo; Caste Vayada Bannian; aged about 50 years; Occupation, Servitude; Inhabitant of Baroda, living in Guddeeyalee Pole, and lately Goomasta to Hurree Bucktee, formerly a Goomasta to Hurree Bucktee, and at present engaged as a Vakeel to Jorrajee Row Tankra; taken at the Gaekwar Durbar on the 30th Kartick Vud, Sumvut 1904 (7 December 1847).

Question. WERE you advanced money, and sent to the Sowlee Purgunnah upon some business by somebody, and if you were, state by whom, how long ago, and in what business you were sent, and what sum of money was advanced to you for going?—*Answer.* Bachur Samul's widow, Maha Luxameebaee, informed me that she had learnt that the younger Settannee's son, Moteelall, had been procured from Meetapoor, and she desired me to go there and make inquiries, but in such a manner that the respectability of the family might not be compromised or made public. I consented, and the next day I left Baroda and went to Sowlee; my reason for going to Sowlee is, that Meetapoor being under the British Sirkar's jurisdiction I did not go there but remained at the Sowlee Nerigmoodar Laeebhaee's house, and commenced making inquiries; and the Sowlee Barrote Purtant being my friend I inquired for him, but he having gone to some other village I did not meet him till the third day in the Sowlee bazar, when informed the bhee that I had some business at the village of Dhakoor, and asked him to accompany me there; he consented. I returned to Lallbhaee's house, and took my dinner, after which, the barrote and myself got into a cart and left whilst in the road I informed the barrote of the story about the boy, and desired him to go to Meetapoor, and make searching inquiries respecting the affair, and immediately after

I despatched

I despatched the Barrote to Meetapoor and proceeded alone to Dhakore, where the Barrote, after having remained at Meetapoor for a day and a half, he joined me, and he informed me, that whilst at Meetapoor he made inquiries, and had found that the boy belonged to a kollee of Meetapoor, named Ruggoonath. This he said, and the next day I returned to Sowlee, and having put up for the night at the mujmoodar's Lallbhaee's house, the next day arrived at Baroda, and acquainted Maha Luxameebaee with the above information.

(signed) *Lulloo Bhugwan.*

Witnesses.

(signed) *Purdasee Daveesing Buchawursing.*
Thakoor *Buzzasing Dullsing,* by Daveesing.

Further Examination.

Question. When you had gone to Sowlee who were all with you, and what money had you advanced to you?—*Answer.* My private sepahee Mahomed, I do not recollect his father's name, but at present he is residing near the Thope Kanna; the driver of my cart, named Kursun Patel, and myself, either persons, and for my expenses neither did the Baba or the Settannee advance any money to me; I expended my own private money and supplies in the journey.

You having put up at the house of Lallbhaee at Sowlee, did you inform him of the nature of the business which had brought you there?—The Settannee had cautioned me against disclosing this affair to anybody, therefore I did not acquaint Lallbhaee of it.

You state that you have been cautioned against disclosing this affair to anybody, then how was it that you spoke to Barrote Purtaub about it?—Purtaub Barrote and myself were intimate friends, besides Purtaub was well acquainted with the people of that zillah, therefore, without his assistance how was I to obtain information?

For what length of time had you been intimate with Bharrote Purtaub to induce you to have confidence in him and diselose this affair to him?—Purtaub Barrote is an inhabitant of Sowlee, and a constant visitor at the Nuvab Saheb, and I was employed formerly at Meer Mahsum Saheb's, consequently we used to meet constantly, and thus became very intimate.

Bhannabhaee in his deposition states, that Nafra expended his private funds, and under the plea of sending offerings to the "Hootoddeya Mhadoe" he had sent you to Sowlee, &c., therefore you are required to explain this?—Baba never under the plea of Hooluddeeya Mhodoe gave me money and sent me to Sowlee, but the elder Settannee, and may have despatched me to Sowlee by the advice of Baba; this is known to them, but I went in consequence of the elder Settannee having sent me.

When you dispatched Barrote Purtaub to Meetapoor, did you promise him any remuneration?—I had promised him no recompence, but owing to our friendship alone he had gone to make inquiries.

(Signed and witnessed as above.)

No. 13.

TRANSLATION of a Deposition of Barrote Purtaub Diajee; Caste Hindoo; Religion, Bhat; Profession, Security; aged about 35 years; Inhabitant of the village of Sowlee, Purgannah Baroda; made at the Durbar on Maghsur Sood 1st, of St. 1904 (A. D. 26 November 1848).

Question. As you live in Baroda do you know Lulloo Bhugwan, and if so, have you any friendship with him?—*Answer.* Yes; I know him, and I have friendship with him.

Did Lulloo Bhugwan meet you in Sowlee, and if so, when; what did he tell you, and what had then happened?—One day, about nine or ten months ago, the exact date is not recollected, Lulloo Bhugwan met me in the Sowlee Bazar, and said that he was inquiring for me for two or three days, and asked me where I was, to which I replied that I had been to some village; he then invited me to his lodging, saying, that he had some business with me; thus he took me to Mujmoodar Lallbhaee, where he had put up, and asked me to go with him to Dakore; I said I was ready and that he should send for me at the time of his departure; after saying so, I returned home; next morning, on being called, I prepared myself, went and stood on the road. As Lulloo came there in a garree, I sat in it, and then it was driven towards Dakore. After crossing the Urbye River, Lulloo said he would tell me one thing, provided I would not speak to anybody; to which I replied, that he might say, I would not speak it to any one. He then said, that Mahluxmeebaee had sent him to inquire into the circumstances of the boy who was said to have been procured by the younger Settanee of Bechurbaee from Meetapoor, and he was therefore going to Dakore, where he would put up at Hurree Bhugtee "huvelee" mansion, and desired me to go and make similar inquiry at Meetapoor, and at its neighbouring villages. Upon this I alighted from the cart, and went to one of my acquaintances named Ratore Bhugwanjee Dolajee, in the village Oomba, Pergunnah Shosra, and as that man was of good character, and of Meetapoor experience, I told him that a good man of my acquaintance came from Baroda to inquire into the particulars of the boy whom the younger wife of Bechur Samul of Hurree Bhugtee's had procured from Meetapoor, and that he should therefore go to Meetapoor and ascertain the facts, because I had no acquaintances at Meetapoor, as he had. On that night I remained at Bhugwanjee's, who went towards Meetapoor on the following morning, and returned the

same evening, and said that on inquiry he learnt from the people of the village that the boy was taken from Coolee Ruggoonath; but as the amount agreed to be paid on that account was not given, Ruggoonath represented the matter to the thakore of the village. On obtaining the information, I went to Dakore, and communicated the same to Lulloo, in Hurree Bhugtee's huvalee. I and Lulloo afterwards left Dakore, and came to Sowlee in the evening; on the following day Lulloo went to Baroda, and I remained in my house; so much I know.

Where did you become so much acquainted with Lullo, as he spoke to you on such a delicate matter?—Lulloo Bhugwan was in Meer Mosum's service; the latter and the Nowab Sahib lived together in one house; and as it was frequented by me in consequence of my purgunnah being under the Nowab Sahib's tabeh, I very often met Lulloo there, and became acquainted with him.

Did you tell Lulloo that you had been to Meetapoor and instituted the inquiries there?—I did not tell him that I had been to Meetapoor, but I informed him of my going to Oomba, and of my deputing Ratore Bhugwanjee, as an experienced man at Meetapoor, for the inquiry, and of all what the latter had communicated to me on his return from Meetapoor.

Did Lulloo promise to pay you any thing for the deputation?—No, he did not make any such promise; I went only in consequence of the great friendship existing between us; there is no difference in this.

(Date and signature.)

Witnesses. (signed) Vukeel *Vullubdass Nurseedass.*
Ummurchand Eshwardass.

In addition to what is above deposed, I represent that the Nawab Sahib, on hearing this, sent Jaburdust Khan to Sowlee, and imprisoned me there. On being asked the reason of his imprisoning me, he demanded the amount of remission which was granted to the patells of the villages of Vurrusda and Okullioo. As I was their security, to this I replied, that how could I ask the patels for the money after the lapse of two or three years, and how would they hear me? Juburdust Khan then asked me whether I knew any thing about Lulloo Bhugwan's coming for the purpose of making inquiries regarding the boy of the younger wife of Bechurbhoye of Sett Hurry Bhugtee; but as I was sworn and forbidden by Lulloo from exposing this fact, I did not tell the truth at the Nowab Sahib's, who got my statement written in Murratta, and forcibly took my signature to it without making it read over to me. To-day, as I am desired to state every thing on oath at the Durbar, I have asserted the whole truth; there is no difference in it.

(Date and signature.)

Note.—Nos. 14, 15, 16, 17, 18, 19, 20, and 21, will be found in Appendix (F.)

No. 22.

TRANSLATE of the Deposition of Rulleyat, Woman, Wife of Kolie Ruggoonath Puthoo, dated Shravun Sood 10 and 14, St. 1906 (A. D. 17 and 20 August 1850); taken at the Durbar.

Question.—YOUR deposition, which was taken on the 15th August 1850, before the residency, is read and explained to you; and you are required to state whether it be the same as given in by you, and if so, whether it contains a true and faithful statement of the facts as they might have transpired?—*Answer.* I recognise the deposition read and explained just now to me as the one given in by me at the residency.

In the above deposition you have stated that "My son grew up, and died when he had attained his 20th year, and besides, my other two sons died immediately after being brought forth;" therefore you are required to state when your grown-up son died, and when you were accouched of the other two, and the number of days they survived after being brought forth?—The grown-up boy of 20 years of age died about seven years ago, two years after which I was confined and gave birth to another son, who lived for three years, and afterwards died of small-pox; and about 18 months or two years I was accouched of another son, who lived for a year, and afterwards was taken ill, and he also died.

After the birth of your son, who died after attaining the age of 20 years, were you delivered of any other children during his lifetime, and if you were, state the time of their birth, and that of their death?—During the lifetime of my grown-up son, who died after attaining the age of 20, I gave birth to and buried two daughters.

Have you any sons alive at present?—At present I have no sons alive, but have two daughters living, one aged about eight, and the other seven years.

After the death of your grown-up son, you state that you were delivered of two sons, one of whom had died of small-pox, and the other of some disease of the neck; therefore you are desired to state at what place they were born, and when they died?—Both of them died at Meetapoor.

From your deposition it would appear that you had had seven children, therefore you are required to name them?—The first son, who died, was named Juggow, the others Ameersing and Bajee, and my daughters were named Amrut and Kun Koo; these are the names of my children who have died, and the names of those who are alive are Luckee and Jeevee.

What usage obtains amongst your caste regarding the ceremonies to be performed after the

the death of a child?—Parties of our caste, who have the means after the death of a child, feast the caste, and observe other ceremonies, but such as do not possess the means, omit doing so; but it is usual in either cases to perform public lamentations, &c.

You state that you lost five children, therefore you are asked whether you expended any money on account of any of their funeral ceremonies?—When Juggoo died, son died; I expended money and feasted the caste with food prepared of "mug" and rice; when however the others died, I expended nothing.

When an accouchement takes place amongst your people are you put to any extra expense?—Those who have the means expend money in procuring certain condiments and infusions to use upon the occasion; but those who have not the means do not even get dhodee badjee to eat.

When you were confined of the above children, did you use the condiments and infusions adverted to by you?—When delivered of my first-born, I eat three-fourths of a seer of ghee, on the second occasion one-half a seer, and on the third occasion a quarter seer; but on the subsequent occasions I eat nothing else but my usual food.

Being concerned in acting the part of Joitabaee Settanee's son's spurious mother, were you rewarded for doing so?—I was at the time sick, therefore I know not, but my husband must be cognizant of it; but he never mentioned it to me.

In your deposition before the Resident you have stated that you had accompanied your husband and others to Baroda for the purpose of testifying that this boy was spurious, and had put up at Hurree Bhugtee's garden, but at present you state being sick at the time, know not, &c., therefore you are required to explain this discrepancy between your present and former statements?—When my husband and others had come to Baroda to receive the spurious child, I also accompanied them to Baroda; after which, however, I became sick, and remained so for three months.

After you had returned from Baroda, where yourself and husband had personified the spurious parents of the child, did you not question your husband as to the amount of remuneration he received for this business; and did your husband inform you that he had received or was promised such an amount for personifying the spurious parents to the boy?—I did not question my husband as to the amount of remuneration, neither did he inform me.

(signed) *Raleea*, the Wife of Ruggoonath, in the handwriting.

Shrawur Sood 10, St. 1906 (17 August 1850).

Examination resumed.

Question. In your recent deposition before the residency you state, that yourself and others who had come to personify the spurious parents of the son of Joitabaee Settannee's had come and put up in the garden at Baroda, and where the last day of your stay there, Lulloo and Baba had come, and in the presence of yourself and Thakoor Ambursing and others, who are there seated, said that they had brought with them a false "leck," which they had made out, certifying that the boy had been purchased from Kolie Ruggernath for 200 rupees, which they said should the next day be taken, and the amount therein mentioned collected, and the parties scandalized, &c., and that they left this leck and went away; but Baba Nafra being examined on the subject, he declares that he never came to the garden with any such leck, and that he never met your husband and the other parties before he saw them at the firm, where they had called to present the leck; therefore you are called upon to explain this difference?—*Answer.* Two days before we had gone to recover the amount mentioned in the leck at Joiteebaee Settanee's father's house, Baba Nafra had come to us in the garden sown with sugar-cane, where we had put up, and remained with us in the garden for about two ghurrees (three-quarters of an hour), and I saw him engaged in conversation with one Thakoor Daveesing; at this time I was seated at a distance, from whence I saw them, but did not hear what conversation transpired between them.

Did you witness with your own eyes the Baba deliver the leck?—No; but if it were given to my husband, who knows?

Formerly in St. 1904 (1847-48), did you in this matter give in a deposition before the residency?—No; excepting the deposition recently given by us before the Resident, we had given no deposition previously.

Signed as above.

Dated Shrawur Sood 14th, St. 1906
(A. D. 20 August 1850).

No. 23.

TRANSLATION of a Deposition made by Baria Umeersing Hurree Bhaee Putel, Thakore of the village of Meetapoor, Purgunna Neriad, on Shrawun Sood 9th, Sumvut 1906 (Friday, 16 August 1850), at the Durbar.

Question. STATE which of your two statements, one made at the Durbar on Kartick Sood 5th, Sumvut 1904 (13 November 1847), and the other at the residency on the 14th August 1850, in case of the son of Joite Setannee, widow of the late Betchur Samul, now read over to you, is correct?—*Answer.* In the deposition made at the Durbar I stated every-

thing as I was persuaded by Baba Nafra and Lulloo Bhugwan; but at the residency I have asserted the whole truth.

In answer to the first question at the residency, you admit that Lulloo Bhugwan and Joojuf Jemadar, desired you in the first instance to find out the parents of Joite Settannee's boy, state whether you had any previous acquaintance with these persons, and if so, how did you become acquainted with them?—I have been acquainted with Joojuf Jemedar.

Did the Jemedar speak to you anything regarding the boy before, or only when he came with Lulloo?—Jemedar Joojuf first came to my village, and told me, that if I could procure fictitious parents for a Banian boy, he would bring me a Bania; to which I answered, that I might do it if there was any advantage to me. He afterwards came with Lulloo, and as the latter promised to pay me something, and assured me that no blame would come on me, I got up Rugnath.

Did the Jemedar and Lulloo tell you in the first instance, at your village, that they would give you so many rupees?—No, not at my village, but at Baroda.

After your coming to Baroda, who did enter into the agreement, and what was the amount agreed on?—Baba Nafra came to me personally, and promised to give the following sums if we told the lie:

To Rugnath - - - - - - - - -	200
„ Me - - - - - - - - -	100
„ Jitbhaee - - - - - - - - -	100

Was there anybody present when Baba made this agreement?—No; Baba was alone.

In the deposition you made at the residency, you stated that Baba and Lulloo came to you, and said that Banabhaee passed an agreement to Rugnath, promising to pay him 200 rupees every year on account of the boy Rugnath gave to Joiti Settanee, state whether the agreement in question was drawn up by Baba prior to the presentation, or was it written in your presence?—It was not given in my presence, nor have I seen it; I was sitting down-stairs, and heard it said that a writing was passed.

Who did say that the writing was passed?—My people said so when they came down-stairs.

Did Rugnath or anybody else show you that writing after it was given?—Nobody showed it to me, nor have I seen it.

Shrawun Sood 13th, Sumvut 1906 (20 August, 1850, Tuesday).

You state that Baba desired you to procure false parents of Joiti Settanee's boy; whereas Baba states in your presence, that you and others went to Hurreebhugtee's shop, gave the written document regarding the boy, and spoke there before many people, that Bhannabheee took your boy, but did not pay you the money according to the agreement; that he took the writing from you, paid some money for it to you, and that he never met you before, nor did he tell you to procure the false parents: state how is this?—Lulloo told me at my village to procure false parents, and after my coming to Baroda, he was always coming and speaking to me on the subject, and supplied me with provisions, &c. Baba only once came to me in a garden, in which I had put up at Baroda, and said that I should go to the Howellee whenever Lulloo might desire; since everything was thus spoken with Lulloo, what is good of asking Baba about it again?

In what garden did you put up at Baroda?—In a garden outside the town, but I do not know to whom does it belong, and on what direction is it, it being a story of many days; I do not even recollect the way to it.

State whether the building situated in the garden in which you had put up has an upper story or not?—I do not recollect that.

You state that you were down stairs when the writing was given, and that Baba came to you and promised to give the money, but since you do not recollect whether the building of the garden has upper story or not, how could you remember that you were down stairs when the writing was given?—Send for Rungildass and he will give the answer.

Since you desire to call upon Rungildass to answer this question, state whether the above answers have been made of your own knowledge, or as tutored by Runjee?—I have stated all what I recollected; and I refer to Runjee only for those informations which I do not remember, being in a distracted state of mind since the demise of my eldest son.

By Baba Nafra.

Question. Did you make any statements at the residency prior to those made at the Durbar, in Sumvut 1904?—*Answer.* About three years ago, when I made the deposition at the Durbar, my statement was also taken at the residency.

In the deposition you made about three years ago at the residency, before the Sahib Bahdoor, did you state the truth?—No I then alleged everything false, as I did at the Durbar.

You say that in your subsequent statement at the residency, you, being a Company Sirkar's subject, stated nothing but truth, whereas you admit that the statement you previously made at the same place was false; state what was the object of your giving such an untrue statement on the first occasion, after being a British subject?—The first statement was not made before the Sahib Bahdoor, but before a carcoon in the office, so everything was then said as Lulloo desired me.

(signed) *Bareea Ameersing Hurrybhoy.*

No. 24.

No. 24.

TRANSLATE of the Deposition of Rungjee Bheeka, Inhabitant of Meetapoora, of the Nuddeyad Pergunnah, dated Shrawun Sood 13th, Sumvut 1906 (20 August 1850); taken at the Durbar.

Question. THE widow of Parick Bechurbhaee Sammul, Joitabaee Settanee having complained about the abduction of her son, in that case your deposition was taken formerly on Kartick Sood 5th, Sumvut 1904 (13 November 1847), at the Durbar, and in the same case a further deposition was taken from you at the Residency recently on the 14th August 1850. These two depositions are read and explained to you, and you are requested to state which of the two contains a true statement of the facts which transpired?—*Answer.* In the first instance, when I deposed at the Durbar, you are well aware that terror prevailed, but the deposition recently given by me at the residency contains the truth.

You state that considerable terror prevailed, when formerly you had given your deposition before this Durbar, therefore you are requested to state whether such terror emanated from the Sirkars, Kamdars, or how?—The Government Kamdars held out no terrors, but Baba Nafra and Lulloo Bhugwan had directed me to depose according to what they tutored me to do, and fear not the Sircar; therefore I deposed as I had been tutored to do by those parties.

In your deposition before the Resident, you state that the leck in the name of Bhanabhaee, Baba wrote out and brought and gave, which Ruggoonath received, therefore you are required to name the parties who were present when this leck was given and received?—My Thakoor Amersing Jheetbaee, Jheebhaee, Rugoonath, his wife Gooman, and a Goosuin, who is now dead were present when the leck was given; I was at the time asleep, Ruggoonath and the others came to me and said Baba and Lulloo Bhugwan had come and given the "leck."

Did you see this same leck only at that time, or for 10 or 15 days before with Ruggoonath?—The leck was at that time shown to me.

How many years have you been living with Amersing Thakoor?—From Assad or Jaist, Sumvut 1902 (June or May 1846).

Did any acquaintance previously obtain* between either yourself or your thakoor and Lulloo Bhugwan?—No, Sir. * *S. O.*

How and from what time did you become acquainted with Lulloo Bhugwan?—I had come to Baroda, and put up at Veneram's wadda, and which time I became acquainted with Lulloo Bhugwan.

Who had brought you to Veneram's wadda, and what was the cause of your coming?—Lulloo Bhugwan had come for us at my village of Meethapora, and when my thakoor and Amersing, &c., were coming to Baroda, they asked me to accompany them as I was their karbaree, consequently I came.

When Lulloo Bhugwan had come to Meetapoor, and commenced arranging about getting up false evidence, were their arrangements conducted through you, or were you in any way acquainted with the affairs?—When these arrangements were being made at Meetapoor, I was sick, consequently ignorant of what had then transpired.

In your deposition at the residency you have stated that you had come with certain sepahees in Lulloo Bhugwan's cart from Meetapoor, and in your present deposition you state that you became acquainted with Lulloo Bhugwan at Veneeram's wadda, therefore how do you explain the above discrepancy?—When I had accompanied him from Meetapoor, I was not acquainted with his name, but after our arrival at Baroda, he informed me that his name was Lulloo Bhugwan, and that he was goomasta to Hurree Bhugtee; from this I mentioned his name in my deposition.

How far is Meetapoor from Baroda?—Sixteen koss.

Since you accompanied Lulloo Bhugwan in the same cart from Meetapoor, by what name did you address him whilst conversing with him *en route*?—I addressed him by the appellation of Settjee.

You state above that Ruggoonath had shown to you the leck at the time, therefore you are required to state what the leck contained?—It was mentioned in the note that the child was given for a maintenance, which was fixed in it at 200 rupees, to be paid to Ruggoonath annually.

Will you be able at present to recognise the handwriting of the leck which was then shown to you?—After inspecting the leck, I will declare the truth.

Dated Shrawun Sood, Sumwut 1906 (16 August 1850).

(signed) *Shaw Rungjee Bheekabhaee.*
(In his own handwriting.)

[*Question.* You have stated above, that when in Sumwut 1903 (or A.D. 1846-47), whilst putting up in the garden, Babadelivered a leck on account of this child for 200 rupees, and which leck Ruggoonath submitted for your perusal, and at present Baba being confronted with you, denies having ever come to you in the garden, or given any leck; therefore, how do you explain this?—*Answer.* When I was at the garden, Baba came there once and remained for two gurrees, and I saw him with my own eyes.

Examined by Baba Nafra.

Question. Regarding this boy, when in Sumwut 1904 (A.D. 1847-48), you gave in your deposition before the Durbar, were you also examined and made to depose before the Residency also?—*Answer.* Excepting the deposition recently given by me before the Resident, neither myself or any of my companions were ever before examined, or made to depose before the Resident.

Dated Shrawun Sood 13th, Sumwut 1906 (20 August 1850).

I further beg to declare that I had come to Baroda, formerly about three years ago, and I petitioned the Resident for permission to return to my home, but on that occasion no deposition* taken from any of us.

* *S. O.*

(Dated and signed as above.)]

No. 25.

TRANSLATE of a Deposition of Gooman Mhowsing, inhabitant of Jussapoora, Pergunnah Nuddeyad; taken at the Durbar, on Shrawun Sood 10th and 13th, Sumwut 1906 (A.D. 17 and 20 August 1850).

Question. THE widow of Parrick Bechur Samul, Joitabaee Settanee, having preferred a complaint regarding the abduction of her son, in that case your deposition was formerly on Kartuck Sood 5th, Sumwut 1904 (A.D. 13 November 1847), taken at the Durbar; and recently in the same case a further deposition was taken from you before the Resident, on the 14th August 1850. The above depositions are read and explained to you at present, and you are required to certify which of them contains a true and faithful statement of the facts?—*Answer.* The one recently given in by me before the residency contains the truth.

In the deposition given by you, before the Resident, you depose that a sum of money was given to Ruggoonath, therefore you are required to certify by whom this money had been given to Ruggoonath, who were all present at the time, what amount and when was it given to him?—No money was given to Ruggoonath. I was left down stairs and Ruggoonath was taken up stairs, at Hurree Bucktee's shop, where the money might have been given to him.

By whom and at what place was money given to you?—My Thakoor Amersing, of Meetapoor, gave me the money at Baroda.

(signed) *Puggjee Goomen Mhowsing.*
(In the handwriting of Rungjee Bheeka.)

Dated Shrawun Sood, 10 Sumwut 1906 (17 August 1850).

Examination resumed.

Question. Having procured spurious parents for this boy, you accompanied Ruggoonath and others, in Sumwut 1903 (1846-47), to Baroda, and had put up at the garden, at which place Baba came and delivered the leck you mention in your deposition before the Resident, but at present when Baba was confronted with you, he states that he had never come to the garden, nor had an interview, or delivered the leck to your party, therefore you are required to explain this discrepancy?—*Answer.* When Baba had come to the garden I did not see him.

Cross-examined by Baba Nafra.

Question. At the time when you gave in your deposition in Sumwut 1904 (A.D. 1848), at the Durbar, regarding this boy, did you not also give in a deposition before the Resident, and if you did what was the nature of such deposition?—*Answer.* No; I did not give in a deposition at that time before the Resident.

Dated Shrawun Sood 13th, Sumwut 1906 (A.D. 20 August 1850).

Examination resumed.

Question. Upon the occasion when Baba had come to the garden, had you any conversation with him, or did you hear him conversing with any of your colleagues, and did you with your own eyes see him deliver the leck, and if you did see him deliver the leck, name the party to whom it had been delivered?—*Answer.* When Baba had come to the garden, I saw him with my own eyes, he did not however converse with me, but the conversation which he had with the rest was not in my hearing, and I did not witness to whom the Baba delivered the leck in the garden.

Dated as above.

Having recalled to my recollection the circumstances, I beg to state that the leck regarding the boy Baba had been delivered in the garden.

Question. You state that Baba had delivered the leck in the garden, therefore you are required

required to state to whom was the leck delivered?—*Answer.* Baba delivered the leck in the garden to Ruggoonath, and the next day Ruggoonath returned the same leck to Baba at the havilee.

(Dated and signed as above.)

Note.—The two signatures of the deponent appear to be forged.

No. 26.

TRANSLATE of the Deposition of Bharreeya Jheetsing Shallumjee; Inhabitant of the village of Jussapoora, Purgunnah Nuddeyad; dated Shrawun Sood 10 and 13, Sumvut 1906 (17 and 20 August 1850), before the Durbar.

Question. THE widow of Bachurbhaee Sammuldass, Joitabaee Settanee having preferred a complaint about the abduction of her son, your deposition had been taken before the Guicowar Sirkar on the 5th Kartug Sood, Sumvut 1904 (13 November 1847), and subsequently, before the Resident in the same case, your deposition was taken on the 14th August 1850. These depositions are read and explained to you, and you are required to state in which of them you have made a true and faithful statement of the facts as they transpired? —*Answer.* In the first instance, agreeably to the tutoring of Baba and Lulloo Bhugwan, I gave in my first deposition before the Guicowar Sirkar, but the deposition recently given in by me before the Resident contains a true and faithful statement of the facts as they transpired.

In the deposition given in by you recently before the Resident, you state that the leck given in by Baba you took and went to Bhanabhaee's house, therefore you are requested to state who showed you the house of Joiteebaee's father, Bhanabhaee?—Lulloo Bhaee's son, whose name I do not recollect, was seated at the Guddeyalee's Pole, from which place he accompanied, and from a distance pointed out to me the house of Bhanabhaee, where I went.

From what place did you come to Guddeeyalee Pole, and who informed you that the person seated at the Guddeeyalee Pole was the son of Lulloo Bhugwan?—At the time the leck was given to me Baba, Lulloo Bhugwan, and Lulloo Bhugwan's son, had come together, and Baba and Lulloo directed me to come to the place in Guddeeyalee Pole, where I saw the boy seated, and that from thence the boy would accompany, and from a distance point out the house to me; thus was it arranged; and I am in the habit of constantly frequenting Baroda, consequently I knew very well where Guddeeyalee Pole is situated, and Lulloo's son use* to accompany his father to where I had put up in the garden, and I was well acquainted with him. * *S. O.*

You have stated in your deposition before the Resident that Lulloo Bhugwan had come to Meetapoor to procure spurious parents for the son of Joiteebaee Settanee; therefore you are required to state whether this Lulloo Bhugwan was an old acquaintance of yours, or if any other person had made you acquainted with him on that occasion, and how was your introduction with Lulloo effected?—I had no acquaintance before with Lulloo Bhugwan, but with the Sowlee Jemedar Joosupt I was upon visiting terms, and this Joosupt Jemedar and Lulloo Bhugwan had come to my village, and made arrangements with my brother Amersing, and his Karbaree Rungjee, and in consequence of Amersing and Rungjee having called me, I went there and participated with Lulloo Bhugwan and the rest in concocting a scheme to make the boy out as superious.† † *S. O.*

How far from your house is that of the spurious father decided upon for the boy, Ruggoonath, situated, and were you aware that this Ruggoonath had a son born to him, and had died?—I live at a different village from that of Ruggoonath, and between our respective villages three or four fields intervene. I was not aware of Ruggoonath having had a son born to him; but in the event of any of Ruggoonath's children dying I would have to go and mourn with him, consequently I am sure that one of his children had died.

Dated Shrawun Sood 10th St. 1906 (Saturday, 17 August 1850).

The above deposition was taken down word for word as deposed to by Jheetsing, and afterwards twice read over and explained to him, and on both occasions he declared that it contained the truth, but at the time of its being signed he heard a‡ read a third time; and when he again admitted it§ accuracy, Rungjee said to Jheetsing, "At the time when these engagements were being made I was sent for; this you have deposed, therefore state when I had sent for you Joosupt Jemedar had come to call you;" to this Jeetsing replied, "Joosupt Jemadar had come to my house to call me, and I accompanied him to the house of Amersing at Meetapoor;" therefore this correction has been introduced. ‡ *S. O.* § *S. O.*

(signed) *Bhaneeya Jheetsing Sallumbhaee.*
(In the handwriting of Rungjee Bhica.)

Examination resumed.

Question. Formerly in the year Sumvut 1903 (1846–47), when you had come regarding this boy to Baroda, Baba, Lulloo Bhugwan, and Lulloo Bhugwan's son, had come to you in the garden, and delivered to you the leck, and it had been arranged that Lulloo's son would

would be seated at Guddeeyalee Pole for the purpose of pointing out the house of Bhanabhaee, where you were to proceed to and cause an exposure; thus you have stated, but Baba, upon being confronted with you, declares that he did not go to the garden, neither was the leck given to you by these persons; this you are required to explain?—*Answer.* Lulloobhaee and Baba both came to me in the garden and delivered to me the leck, [but if they now deny having done so, what is it* to be done?

* *S. O.*

Cross-examined by Baba Nafra.

Question. Formerly in Sumvut 1904 (1847–48), you gave in your deposition before the Durbar, therefore you are asked whether at that time you also had given in a deposition at the residency, and if you did so, what was the nature of it?—*Answer.* About three years ago I gave in a deposition regarding this boy before the Durbar, but I gave in no deposition at the residency, and neither myself or any of my colleagues were called upon to do so at that time at the residency.

Dated Shrawun Sood 13th, Sumvut 1906 (20 August 1850).

(signed) *Jheetbhaee Shallumbhaee.*
In the handwriting of Rungjee.]

No. 27.

TRANSLATE of the Deposition of Barrieya Jheebhaee Hurreebhaee; Inhabitant of Meetapoor, Pergunnah Nurriad; taken at the Durbar on the 10th Shrawun Sood, Sumvut 1906 (A. D. 17 August 1850).

Question. THE widow of Paruck Bechurbhaee Samul, Joitabaee Settanee, having preferred a complaint regarding the abduction of her son, your deposition in the above case was formerly on Kartick Sood 5th, Sumvut 1904 (13th November 1847), taken at the Durbar, and recently in the same case a further deposition was taken from you before the Resident on the 14th August 1850. Both these depositions are read and explained to you at present, and you are required to certify which of them contains a true and faithful statement of the facts?—*Answer.* The deposition given by me recently before the residency contains the truth.

You had come with Ruggoonath when he had come to personify the spurious parents of this boy, and on that occasion you received some money, this you have stated in your deposition at the residency, therefore you are required to state whether this money was given to you all at one and the same, or at different times, and as Ruggoonath's wife was present did she witness when the money was given to you all?—I received my share of the money from my Thakoor Amersing, after I had returned to Meetapoor, but I do not know whether the thakoor took Ruggoonath's share also with him, or whether Ruggoonath received his share separately.

Dated Shrawun Sood 10th, St. 1906 (17 August 1850).

(signed) *Barrieya Jherbhaee Hurreebhaee.*
(In his own handwriting.)

Examination resumed.

Question. State when you had formerly, in Sumvut 1903, accompanied Ruggoonath and others, regarding this boy's affair, to Baroda, where you had put up, and whether Baba had come to where you had put up, and if he did so, state all that then transpired?—*Answer.* Three years ago, having got up spurious parents for the boy, we had come to Baroda, and put up in the garden [where Baba came once with Lulloo Bhugwan, I saw the Baba on this occasion, but had no conversation with him.

Cross-examined by Baba Nafra.

Question. In Sumwut 1904, you deposed at the Durbar, regarding this boy, and you are required to state whether at that time you had not likewise given in a deposition in the same case before the residency?—*Answer.* No, I did not on that occasion give any deposition at the residency, but in consequence of having been detained here in this case for a length of time, I lately petitioned the Resident for permission to return to Metapoor.

Dated Shrawun Sood 13th, St. 1906 (A. D. 20 August 1850).

(Signed as above).]

No. 28.

TRANSLATE of the Deposition of Lulloo Bhugwundass, Inhabitant of Baroda, taken at the Durbar; dated Shrawun Sood 11 and 13, Sumwut 1906 (18 and 20 August 1850).

Question. ON Kartig Vud 30, St. 1904 (7 December 1847), you had formerly given in your deposition at the Durbar, in the case of the abduction of the son of Joitabaee Settanee, the

the widow of Paruk Becherbhaee Samaldaes, and recently at the Residency, in the same case on the 5th July 1850, you gave in a further deposition, both of which depositions are read and explained to you, and you are required to declare which of these two depositions contain a true and faithful statement of the facts?—*Answer.* The deposition given at the Durbar by me was in accordance with the tutoring of Baba Nafra, and did not contain the truth; the deposition, however, given recently by me at the Residency contains the truth.

Did you receive and expend any money from the firm of Hurree Bugtee, for the purpose of procuring spurious parents for Joitabaee Settanee's son, and what was the end in view for procuring these supposititious parents?—Joitabaee Settanee, in Sumvut 1903 (1846-7), had it in contemplation to incarcerate and cause Baba Nafra to render in the accounts of the firm, and for this purpose she arranged with Koondabaee Bhya Sahib, belonging to the Sirkar, to bring it about. This the late Maharaj had communicated to Baba, therefore in the Maha month of the above year, the day and date I do not recollect, but one night Baba sent for me to his house, and secretly commenced saying to me, "the benevolence of Hurree Bugtee is at an end;" and after saying so, he appeared to be much agitated, when I consoled him, and bid him not to be troubled, but to intimate to me the cause of his distress. Upon this he informed me that Joitabaee had consulted with the Sirkar for the purpose of causing him to render in the account of the firm, and that the Sirkar had just communicated the above to him, therefore that it would be necessary, to obviate the above calamity, to procure from a distant village under the British Company's jurisdiction spurious parents for the son of Joitabaee Settanee, and that if this could be effected, the Settanee's power would be considerably weakened, and that if I would do this much for him, he would never forget the obligation. I consented to his proposition, and asked him what remuneration I was to expect for my services; Baba answered, that if I would accomplish the above business he would give me 25,000 rupees in cash, and further settle upon me for life a stipend of 1,500 rupees annually, and consequent upon the above promise I proceeded to Meetapoor and procured supposititious parents for the boy; and amongst the Kollies in this affair on that occasion the sum of 2,000 rupees was expended, and besides this sum I neither disbursed nor received any more money in this case. After the delivery of a son by the Settanee, in Phogaon, I received in the next month, Chytur, the sum of 1,500 rupees on the occasion of my wife's "uggurnee," and eight afterwards, on the occasion of my son's wedding, 1,500 rupees, and in last year, for the purpose of laying in a stock of grain, a further sum of 200 rupees was given me, and during Bechurbhaee's lifetime I had received the sum of 450 rupees, and excepting the above sums I have received nothing further.

You state that excepting the above sums you have nothing further, but if it be proved from the entries in the books of the firm that you have received further sums on account of this affair of this boy, then how?—Besides the sum above admitted by me I have received no further sums, but the money paid to the kollies might have been entered in my name in these books; who knows?

The leck passed to the Meetapoor Walla Ruggoonath, securing to him a stipend of 200 rupees for life, annually, by whom was it passed, and in whose handwriting was it written, and name the parties who were present when it was being written, and by whom, and at what place was it given to the Meetapoor kollie, and further, by whom was it dictated, and in whose presence?—I brought the Meetapoor Wallas and located them in the garden; when they were there one morning, at nine, myself, Baba Nafra, we both were seated at the Baba's Ram Mundeer; there Baba read over to me the draft of the leck, drawn up in his own handwriting; he desired me to get a fair leck made out, to be given to the Meetapoor Walla, but that the writer should be a person to be depended upon, therefore that it would be as well if I would send for my younger son, Munsook, and upon my doing so, Baba got him to make a fair copy from the draft of the leck in Baba's own handwriting, and afterwards Mohunlal was sent for and made to imitate the signature of Bhanabhaee on other paper, but he did not succeed in his endeavours; thereupon the account books of the villages of Amleeyara and Plasswadda, at which villages Bhanabhaee had been employed from the firm, and in these books we looked up the signature of Bhanabhaee, and this was given to Mohunlal to imitate upon separate paper, until the imitation was perfect; and about four o'clock the same evening, myself and the Baba met again at the Ramjee Mundeer; where Mohunlal being sent for, he was made to forge the name of Bhanabhaee to the leck which had been prepared in the morning; afterwards, either the next or third day, myself and Baba went together, carrying the leck along with us to the Meetapoor people, who were located in the Baba's garden, and Baba with his own hands delivered it over to Kollie Ruggoonath, the party fixed upon to enact the part of the boy's father at this time. Excepting myself, Baba, and the Meetapoor people, no other person was present.

How many sons have you?—I have four sons.

How far have your sons been educated?—The whole four have been educated in Goozeerattee, and, excepting Goozeerattee, they know no other language.

Would you be able to recognise the writing of each of your four sons?—Yes, I would, from their respective style of writing.

You are at present shown two papers, and you are required to declare, after inspecting them, whether you recognise in whose hand they are?—Without being perfectly satisfied, I cannot say in whose handwriting these documents are.

The leck passed to Ruggoonath Kollie for 200 rupees annually is shown to you, and you are required to declare in whose handwriting it is?—This leck shown to me by the Sirkar I declare to be in the handwriting of my son Munsook, and the writing of the signature is in the handwriting of Mohunlall.

You have stated that the leck was made out in the name of Bhanabhaee; but this leck bears the signature of Bhogtee Kandass, and is in his name also; how is this?—The name of Bhanabhaee is Bhugtee Kandass, and Bhanabhaee is his nickname.

In the case of Joitabaee's son's abduction, you mention the names of Jeetbhaee and eight others, and you are required to state whether, in addition to the parties, there were any other concerned in it?—The parties whom I recollect participating in this affair I have named; but as I do not recollect, I cannot say whether there were others concerned in this affair or not.

You state that consequent upon the Baba having requested you to procure spurious parents for the boy, you brought the Meetapoor people; therefore you are required to state whether you had gone to Meetapoor by desire of Baba, or of your own accord?—Baba had desired me to procure spurious parents for the boy from some of the villages under the British Government's jurisdiction; but I reflected that any person of respectability would not be willing to be mixed up in such an atrocious affair, but that from amongst the inhabitants of the "Mhye Caunta" I was more likely to get parties for such business; therefore having had some previous acquaintance with Joozuf Jemadar, by my frequenting the Nawab Sahib's Wadda, I went to Joozuf Jemadar of Sowlee, and got him to accompany me to Meetapoor.

Dated Shrawun Sood 11th, Sumvut 1906 (18 August 1850).

(signed) *Lulloo Bhugwan.*
(In his own handwriting.)

Examination resumed.

Question. You have stated that the Baba had deputed you to procure supposititious parents for Joitabaee Settanee's son, but Baba, upon being confronted with you, declares, that you having informed him that you had procured information regarding the existence and whereabouts of the true parents of the boy with Joitabaee Settanee, and that consequently he had desired you to procure them, and that upon this you [proceeded to Meetapoor and returned with these Meetapoor people; and further, that a sum of 15,000 rupees had been agreed upon to be given to you, upon it being satisfactorily proved that the boy really was the son of the parties to be produced by you, and that this sum had been given to you upon the depositions of the supposititious parents of the boy being taken by him, therefore you are required to explain these discrepancies between your respective statements?—*Answer.* I never informed the Baba of my having been in possession of information regarding the existence of the real parents of this boy; but as I have above deposed, Baba had deputed me to procure spurious parents for the boy, and I went and brought the Meetapoor people, and I neither received nor know anything about this 15,000 rupees.

You state above, that consequent upon acquaintance with Joozuf Jemadar, that you had gone to Meetapoor; but from the deposition of this Joozuf Jemadar it would appear that, under the plea of going to Dhakore, you had got him to accompany you, and that *en route* you informed him that you had information that the real parents of the boy with Joitabaee Settanee were at Meetapoor, and requested him to inform the Meetapoor thakoor of the same; and if the parents of the boy were there, the business could be there investigated; and that thereupon Joozuf accompanied you to Meetapoor, and requested the thakore of Meetapoor,] Amersing, to find out the parents of the boy if they were in his village; and and that after having taken "Kussuma" together the same day, the Jemadar and yourself returned; therefore you are required to state what transpired when Joozuf Jemadar had accompanied you on this occasion?—At first, for the purpose of being introduced, I got Joozuf Jemadar to accompany me, and Joozuf there introduced me to the Meetapoor chief. Afterwards, a long time having since elapsed, I do not recollect whether Joozaf Jemadar remained or went away; but the whole of the Meetapoor business from first to last was conducted and concluded by me.

Dated Shrawun Sood 13, Sumvut 1906 (20 August 1850).

(signed) *Lulloo Bhugwan.*
(In his own handwriting.)

No. 29.

TRANSLATION of the Deposition of Joozaf Vuldey Mutun; Religion, Scinde Mussulman; Inhabitant of Sowlee; aged 40 years; Profession, Service as Jemadar, in the employ of Husamoodin Hossein Khan, Nawab of Baroda, on Shrawun Sood 11th, St. 1906 (A.D. 18 August 1850); taken at the Durbar.

Question. Do you know Lulloo Bhugwan, if so, how did you become acquainted?—*Answer.* Lulloo Bhugwan is a servant of Meer Mosum, who used to frequent the place, and I being employed at the Nawab's, I became acquainted with him.

In the case of the son of Joitabaee Settanee, widow of Bechur Samuldass, did you accompany Lulloo Bhugwan to any place, and if so, for what purpose?—I know nothing regarding the case of the son of Joitabaee Settanee, nor did I go with Lulloo Bhugwan anywhere

anywhere for this purpose. But I know, about three years ago, the date not known, Lulloo Bhugwan one day came to Sowlee, and put up in the dhurrumsalla; when he came to see me, I asked him where he was going to; he replied, that he was going to Dakore, and asked me to accompany him, so I followed him mounted on my mare, and from Sundulpoor Lulloo went towards Meetapoor. I told Lalloo that this is not the road to Dakore, and where was he going? He replied, in truth that the parents of the son of Joitabaee Settanee are in Meetapoor, and that he was aware of her having taken the boy from that place; that as I was acquainted with the Meetapoor thakore, he wished me to accompany him to that place and introduce him to the thakore, in order that he may assist him in his inquiries. Accordingly I went with him to Meetapoor, and we put up in the verandah of the thakore's house. I merely told Ameersing that here is the goomashta of the Baroda Sowkar, Hurry Bhugtee, and that he has heard that his Settanee had taken a boy from his village, and requested him to afford him assistance in the matter, and if the parents of the boy be found in his village, to hand them over to him. On this the thakore replied, Very good, and offered his assistance in the matter. After this the thakore prepared "kusoomba," and having drunk it and taken my meal I returned to Sowlee; Lulloo remained there; what happened afterwards I do not know; on his return I did not meet again. There is no difference.

(signed) *Joozaf Vd. Mutun.*

No. 30.

TRANSLATION of the Deposition of Lulloo Bhugwan Wania Wayra, dated Bhadurwa Vud 1st, St. 1907 (A.D. 22 September 1850), taken at the Durbar.

Question. PERSONS from Meetapoor were brought here to become feigned parents of the son of Joitabaee Settanee, that 1,700 rupees was settled to be paid to them on this account, but in trying to effect a settlement 2,000 rupees were expended; thus you state; whereas from the depositions of the Meetapoor people it appears 350 rupees only were paid to them, therefore state to whom the remainder of the money has been paid?—*Answer.* The particulars of the payment of this money are entered in a chopra, which is in the Baba's house. It was first with Bhugwan, but when Bhugwan's business was taken from him and made over to Vurzboakun Bhagut, the "chopree" was taken by Tatiaba Karkoon, and perhaps it is now in Baba's possession; by sending for it, everything will be known.

You went, you say, to Meetapoor to procure feigned parents for the child, and brought these persons to Baroda, and expended money on them. Had you no consideration, in concocting this fraud on the son of a great person, that by doing such a thing you would bring disgrace on the house of a great person; without weighing the matter you consented to do this, and have done it; how is this?—I did not in any way weigh the matter before; I did it at the desire of Baba Nafra.

(signed) *Wamun Lulloobhoy Bhugwandass.*

No. 31.

TRANSLATION of Deposition made by Havildar Dadabhoy Meerzaan, Talgoon Vud 6th, St. 1903 (1 March 1847).

Question. STATE on oath all the true facts regarding the boy the younger Settanee Joita, had brought?—*Answer.* When the first boy became too ill and insensible of small-pox, Bhanabhay and Lulloobhay told me that they, having despaired of his life, I should procure another boy from somebody, upon which I went to Tullaveea Dulliah at Amleeyara, saw his boy and returned; went again and asked Tullaveea Dulliah and his wife for their sucking boy, on condition that I would take care of them, and give them 100 rupees, to which they after consideration replied, that there was not any objection to them in giving the boy, but if the fact became public, their caste people might say that they sold the boy, and eject them from the caste; upon this I said, that if they gave out that the boy was dead, and performed the usual death ceremony, no sort of blame would be attached to them. They afterwards agreed to this all. I went to Baroda after desiring the village bhungee to send village guides for my escort, as I was to return back the same evening, and communicated the whole story to Bhanabhay and Larbaee, who desired me to bring the boy, for which purpose Bhanabhay gave me 100 rupees; I went to Amleeyara with the sum on horseback. As Joria and Dulliah met me near the village, I alighted there, gave the horse to the former, took the latter aside and paid him the money; it was then about 5 P.M.; Dulliah went to his house with the amount; I and Joria went to the barn. On the following evening, when Joria came to the chowra, I said that I had to tell him something. He asked what was it. I told him that I would not tell it unless he took oath; he then took some grain in his hands and swore by it and the "Sikaroo peer (Mahomedan saint held in veneration also by the natives of this class), after which I told him that I wanted to take Dulliah's boy, and would give him five rupees for his trouble, if he would carry the boy. Joria having agreed to this, we both went near the compound of Dulliah's house with a basket. Here I bade him go in by making an entrance in the thorn hedge, and tell Dulliah that

I was waiting for him and his sucking boy; his wife and Joria came out through the gap with the boy; we all went and sat together near a wood-apple tree at the end of a field, where I made Dulliah's wife put the boy in the basket, after which she returned home with her husband; I placed the basket on Joria's head and proceeded on with him; whenever the boy cried on the road I lulled him by putting in his mouth a bit of cotton, some jagree water which Larbaee had made me keep by in a small earthern pot; on arriving at Bhanabhay's house in Nursingjee pole at Baroda, the boy was made over to Larbaee, after which I went home and Joria returned to Amleeyara. He was paid for his trouble as was agreed. On the following day I went to Amleeyara.

No. 32.

TRANSLATION of a Deposition made on Oath by Dullia Bhana, of Amliara; Falgoon Vud 7th, Sumvut 1903 (9 March 1847).

Question. DADABHOY, havildar of Amliara, states, that the boy whom Joitie Settannee professes to be her own is your son; state whether such is the case?—*Answer.* One day the havildar came to me and my wife and asked us to give him our sucking boy, promising to take care of us, and to pay 100 rupees; to which we replied, that there could be no harm in our giving the boy, but if it became known to our caste people, they would say that we sold the boy, and turn us out of the caste; upon which the havildar said, that if we gave out that the boy was dead, and perform the usual death ceremony, no blame would come on us; we approved of this advice, and as we have to remain always under the havildar's control, he offered 100 rupees, and promised to take care of us, we agreed to give the boy; after which the havildar went to Baroda, bidding the bhungee to send puggies for his escort, as he was to come back that very evening. I and Joria were accordingly sent to escort him. The havildar, who was coming alone on horseback, met us near the village, made over the horse to Joria, took me aside and gave me secretly 100 rupees, which I took home; Joria and the havildar went to the barn, and on the following night came near the compound of my house; Joria made an entrance in the thorn hedge, entered in, and said that the havildar was standing out of the compound, and wanted my sucking boy; upon which I and my wife took the boy and we all went at the end of a field, near a wood-apple tree, where the havildar caused the boy to be put in a basket by my wife, after which we returned home; on the following morning at gun-fire we went out crying and lamenting, dug a small hole, covered it with earth and thorn, washed our body and returned home.

How old was the boy when he was given?—He was then of about two months.

No. 33.

TRANSLATION of a Deposition made by Doodhlee, Wife of Tullaveea Dulleea, of Amlyara Village, on Oath; Falgoon Vud 7th, St. 1903 (A. D. 9 March 1847).

Question. DADABHOY, havildar, avers that the boy Joita Settanee had is your son; state whether it is so?—*Answer.* One day Dadabhoy, havildar of Amlyara village, came to my house, saw the boy and went away; the next day he came again, told me and my husband to give him our sucking boy, promising to take care of us, and to pay us 100 rupees, to which we replied, that there would be no harm in our giving the boy, but if it become known to our caste people they might say that we sold the boy, and turn us out of the caste; upon which the havildar said, that if we gave out that the boy was dead, and perform the usual death ceremony, no blame would come on us; we approved of this stratagem, and considered it advisable, because we have to remain always under the havildar's control; he offered 100 rupees, and promised to take care of us; under these circumstances we agreed to give the boy. The havildar afterwards gave the money to my husband, which he brought home and informed me of; I said, All right. On the following night the havildar and Joria came near the compound of our house; the latter entered in by making an entrance in the thorn hedge, told my husband that the havildar, who was standing outside the compound, wanted him with our sucking boy, upon which my husband desired me to carry the boy. We all then went through the entrance to the end of a field, near a wood-apple tree, where Dadabhoy made me put the boy in a basket; I and my husband returned home; early in the following morning we went out crying and lamenting; I, after washing body, returned home, and my husband followed me.

No. 34.

TRANSLATION of a Deposition made by Tullavia Joria Jusla, of Amliara, on Oath; Falgoon Vud 7th, Sumvut 1903 (9 March 1847).

Question. STATE all you know regarding the boy, the younger Settanee Joite had procured?—*Answer.* Dadabhaee, havildar, while going to Baroda, desired the bhungee to send village guides for him; I and Dullia were accordingly sent to escort him; he met us near the

the village, mounted on a mare; when saw us, alighted from the mare, gave her to me and took Dullia aside; Dullia afterwards went home; I and the havildar went to the barn. On the following evening when I went to the chowra the havildar said he had to tell me something; I asked him what? He then said he would not tell it unless he took oath; I then made oaths of "Seekaroopeer" and of "Undave," by taking some grain into my hands. The havildar afterwards desired me to accompany him to Dullia Tullavia for the purpose of taking his son, promising to give me five rupees for the trouble; I accordingly went with him with a basket; the havildar stood outside the compound of Dullia's house and bade me to go in by making an entrance in the thorn hedge, and to tell Dullia to bring his sucking boy; I went in accordingly and told the message to Dullia, who desired his wife to carry the boy, and we all went out of the compound and thence with the havildar to the end of a field near a wood-apple tree; there Dullia's wife placed the boy in a basket and went home with Dullia; I proceeded with the havildar with the basket, which was placed over my head; when the boy was crying we lulled him by dropping in his mouth with a bit of cotton some kind of fluid which the havildar had brought in a small earthen pot; we went with the basket to Bhanabhaee's house in Nursingjee's Maharaj's Pole at Baroda; when the basket was put down on the ground, Dadabhaee took out of it the boy and gave him to Ladbaee; Dadabaee paid me afterwards five rupees for trouble, after which I returned to Amliara, and the havildar went to his house.

No. 35.

TRANSLATION of an Acquittance passed by Joiteebaee Settanee, Widow of the late Beehurbhoy, before his Highness the Guikwar, dated Chytur Sood 5th, Sumvut 1903 (21 March 1847).

I, WITH free will and sound mind, declare that the story of the boy being born to me on the night of Margsur Vud 8th, of St. 1902 (A. D. 22 December 1845), is false, and I do not know whence he was brought by my parents; I know only this much, that he was brought through the medium of Dada Meeah, havildar of Amlyara; I will not keep the boy any longer, and the Sirkar should, therefore, be so merciful as to give him back to his parents. You being our "ma-bap" (protectors), I trust to be pardoned for this crime in consideration of the late Sett and Hurry Bhugtee.

No. 36.

TRANSLATION of a Deposition made on Oath by Eshwur Wunarsee Ryjee Betchur and Nurrotum Narran, Patels of the Village of Amlyara, 2d Jest Sood 3d, of Sumvut 1903 (15 June 1847).

Question. STATE the whole particular connected with the death of the son of Tullavia Dullia Bhana, of your village.—*Answer.* On 2d Jest Sood 2d, at about 1 P. M., we, having heard the boy died of cholera, went to the chora and ordered not to bury his corpse till the person whom we were sending to Baroda was returned; a mehta come from Baroda permitted, after inquiries, the remains to be buried, which was accordingly done. We know only this much, and nothing more.

Signed as above.

No. 37.

TRANSLATION of a Deposition made by Arab Syud bin Munsoor, on Oath, 2d Jest Sood 3d, of St. 1903 (15 June 1847).

Question. THE son of Tullavia Dullia Bhana of Amlyara, who was given back to Dullia by Joite Setanee of Baroda, died on 2d Jest Sood. State of what did this boy die, was his corpse buried or burnt, and who were then present?—About 1 ½ month after the boy's arrival in the village the cholera prevailed, to which many people fell victims; this boy was also attacked by it one day, and died the following noon at 1 P. M.; when allowed by a mehta, who was sent from Baroda, the boy's remains were buried by the Tullavias, whom I accompanied burying the corpse; we all went to our respective houses, and on the following day I went to Baroda. I know only this much.

No. 38.

TRANSLATION of a Memorandum of Deaths resulting from Cholera in the Village of Amlyara.

1. The wife of Patell Nursing Bechur.
1. Patell Bechur Bhuggut.
1. Tullaveevia Ghumto.
1. Kollee Ooka Moonee.
1. The wife of Patell Jayram Ramjee.
1. Thukur Ghirdhur Ruttonjee.
1. Patell Jeebhaee Wusta.
1. Patell Lalla Ooka.
1. Patell Jeebhaee, Raggoonath's son.
1. Patell Poonja Ravadass.
1. Patell Dhajee Ravadass' wife.
1. Gossaen Dhowlut pooree Moteepooree.
1. The mother of a blacksmith.
1. Arab belonging to the Sirkar.
1. Havildar Luckmonsing.
1. Patell Bheeka Dhunjee's wife.
1. Patell Vullab Vunarsee's wife.
1. Patell Sammul Narrain.
1. Patell Ryejee Bhugwan.
1. Patell Rama Dhunjee.
1. Patell Sammul, Bhoodeir's son.
1. Mochee Hurjee.
1. Tullaveeya Sewlo.
1. Tullaveeya Sewlo's daughter.
1. Patell Rugga Bhajee's mother.
1. Vusta Deojee.
1. Vallund Husla's mother.
1. Desaye Dowlutrams Nurbaram's cart driver, Rameeya.
2. "Kalpanee" females, and 3 Bhungeeyas.

Besides the above, those who had died I do not at present recollect.

No. 39.

TRANSLATION of a Deposition made on Oath by Hurjeewun Mehta, of Amliara Village, 2d Jest Sood 3d, of St. 1903 (15 June 1847).

Question. ON the receipt of the information of the boy's death, you were sent to Amleara; state what happened after your arrival there?—*Answer.* After making inquiries, and seeing the dead body of the boy, I ordered it to be buried, which was done; I know only this much.

(signed) *Hurjeewun Mehta.*

No. 40.

TRANSLATE of the Deposition of Dada Meya Vulluddeh Chotoo; Religion, Mahomedan; Caste, Meerja; aged about 25 years; Occupation, Service; Inhabitant of Baroda, residing near the Peeplee Tree, at Buldavejee's (Mundeer) Temple; taken upon oath before the Guicowar Sirkar, on Bhadurwa Shood 12th, Sumvut No. 1904 (10 September 1848).

Question. THE deposition given by you at the house of Hurree Bhugtee, on Fagun Vud 6th, St. 1903 (9 March 1847), is read and explained to you, from first to last, and you are called upon to declare upon oath whether this deposition contains the truth or otherwise, and to rectify any inaccuracies which may obtain* therein?—*Answer.* Last year, in the month of Fagun (March), Baba Nafra and others having sent for me at Hurree Bugtee's, desired me to state all the particulars regarding the manner in which I had procured for the younger Settanee Joiteebaee the child, upon oath; and agreeably to their desire, I recounted faithfully all the particulars, which was taken down in writing, and which I recognize as the same as the deposition at present read and explained to me, and which I upon oath now certify contains the truth, and nothing else but the truth.

* *S. O.*

(signed) *Meerja Dadabhaee Vulluddeh Chotoo.*

Examination continued.

Question. What remuneration had you been promised for procuring this boy, and you should explain how yourself and Banabhaee became such great friends?—*Answer.* Banabhaee for a period of five or six years was mehta of the Amleeyara village, during which time I was also employed there as a havildar; from this we became intimate friends, for which reason he asked me to procure the child for Joiteebaee, and, further, he promised to remunerate me by bearing my wedding expenses; for these reasons I procured the child.

You have stated that the child which was with the Settanee at first took the small-pox, and a few days afterwards became very ill and senseless; with reference to the above, you are required to state from whom this child had been procured, and his present whereabouts?—That child was said to be the son of the younger Settanee, and where he is at present I am ignorant of.

When you conveyed from Amleyara the child in a basket, which was carried by Joma Tullavery to Nursungjee's Pole at Baroda, how far had the night advanced, and who all† met you on the road, and were you at the entrance to Baroda, or at the gate, interrogated as to what you had contained in the basket?—When the child was brought to Nursingjee's Pole it might have been about seven o'clock, and after we entered the city, many people met us, but no one interrogated me, neither were any questions put to me at the entrance to Baroda, or the city gates, as to what was contained in the basket.

† *S. O.*

When

When you delivered the child to Landbaee, of* her husband Bhanabhaee's house, who were all present; was Tullawya Jooria with you, or did you leave him outside; and the hire, five rupees, which was paid to Jooria, where did you procure; and did you give this sum to Jooria yourself, or did you conselt† to be given to him by some other body?—At the time of my delivering the child to Landbaee, herself, husband and I were present; Jooria was left outside, and five rupees was given me by Bhanabhaee, and which I handed over with my own hands to Jooria. Dated and signed as above.

* *S. O.*

† *S. O.*

Examination again resumed on the 12th Bhadurwa Sood, Sumvut 1904 (10 Sept. 1848).

Question. You are called upon to state all the particulars which transpired regarding the boy whom you procured for 100 rupees from Dulleeya, and subsequently made over to Landbaee?—*Answer.* The son of Dulleeya I procured from Amleeyara, and delivered over to Landbaee; and about a year afterwards, consequent upon being unwell, I returned to my home at Baroda; and during last Fagoon (March), one day, the date I do not recollect, Baha Sahib sent for me to Hurree Bhugtee's house, and kept me prisoner, and having done so, he inquired of me the particulars regarding this boy, when I informed him of all the particulars as above deposed by me; and upon my doing so, Baba took down my statement in writing; and after having kept me 10 or 12 days in confinement, one night, about nine o'clock, Woman Punnee came and said to me that Settanee Joiteebaee had sent her to inquire of me from whence and whom I had procured the boy whom I had given to her, and that she had been duelid‡ to ask me to state all the particulars connected with this boy, and Baba Nafra also pressed me to declare all the above particulars; upon which, having sworn upon the Koran, I disclosed all the particulars faithfully which transpired, is that I had procured the son of Tullaveeya Dulleeya from Amleeyara, when a men§ sucking babe of about two months' old, and that I had given for the boy 100 rupees to his father, Dulleeya, which had been advanced me by Bannabhaee; this I discovered in the presence of Baba and others, and which Punnee might have communicated to Joiteebaee Settanee; and after having done so, she returned to me, and said that Joiteebaee Settanee desired that I should return the boy from whom I had procured him; this message Punnee delivered to me from Joiteebaee's Settanee, when I informed her that I had procured the boy from Tullaveeya Dulleeya, and if it was her wish, that I would restore the child to his parents; and when I had said so, Punnee returned to the Settanee, and a little while afterwards, Mujmooddar Bhugwan and an Arab accompanied and proceeded with me to the garden of Sett Hurree Bhugtee; before, however, doing so, the child was stript of all his gold and other ornaments, and Punnee and a servant brought the child with us to the garden, and in the meantime Baba Sahib Nafra also came there, and then the child was made over to Tullaveeya Dulleeya and his wife, in the presence of Tullaveeya Jooria, and I was placed as a watch at the garden gate, but afterwards I was called; on being confronted with the Tullaveeyas, was desired to ask the Tullaveeya whether he had received his son back; this question I put to Tullaveeya Dulleeya, and he and his wife replied that they had recognized the child returned to them as their own son; when I was asked to put this question, the child was in the lap of Tullaveeya Dulleeya, and weeping very much; and after the above, I was conveyed back to the Shet's shop, and continued under confinement, and the next day I was taken with violent vomiting and purging, and became very unwell indeed, whereupon a sepoy was despatched to my house for my brother, and upon my becoming insensible, they placed me in a cart, and had me conveyed to my home; after which I continued unwell for about five or six months, and have only since a month or a month and a half ago become restored to health; and after the child had been delivered to Dulleeya in the garden, at what time Dulleeya returned with him to Amleeyara I have no recollection of whatever.

‡ *S. O.*

§ *S. O.*

Do you know how it became known to the people at Sett Hurree Bhugtee's about the child having been procured by you?—I know nothing about the people, but the Sett's people might.

Do you know what transpired regarding this boy after he had been returned to Dulleeya in the garden, or about the boy's present whereabouts?—After I had returned to my home from Sett Hurree Bhugtee's, I continued sick for about five or six months, therefore I did not visit Amleeyara; but after my recovery, on going about, I heard it rumoured that the boy had died at Amleeyara, when or in what month I do not know; there is no difference in what I have above deposed to. Dated and signed as above.

No. 41.

TRANSLATION of the Deposition of Dullya Bhana; Religion, Hindoo; Caste, Tullaveer; aged about 35 years; Occupation Vurhennoo; Inhabitant of Amleeyara of the Baroda Purgunnah, taken at the Gaekwar Durbar upon oath, on Bhadurwa Sood 12th, St. 1904 (10 September 1848).

Question. THE deposition given by you on Phalgoon Vud 7th, St. 1903 (A. D. 9th March 1847) at the house of Parruck Hurry Bugtee, is read and explained to you this day, and you are required to state upon oath whether it be a true deposition or otherwise, and if any inaccuracies obtain in it, you should make known the same?—*Answer.* Baba Nafra and others of the house of Parruck Hurry Bucktee, last year sent for and desired me to declare upon oath all the particulars regarding the giving away of my son through the advice of Dada Meeah Havildar, for the consideration of 100 rupees, whereupon I made a true and

faithful statement of all the particulars connected with the affair, and which is the same as contained in the deposition at present read and explained to me, and I now upon oath declare the same to true.

(signed) *Tullaveeah Dullee*, his × mark.

Further Examination.

Question. In your former deposition you have stated that through the advice of Dada Meeah Havildar, having deliberated about giving my son for the consideration of 100 rupees I consented, after which when Dada Meeah Havildar was going to Baroda he cautioned the bungees, &c. You are therefore required to give the names of this bhungeea. And further on you state that "having circulated a false story about the death of my child, myself and my wife the next morning commenced lamenting;" the names of your caste people who had upon this occasion come to condole with you, and of those who had accompanied you when you had gone under the plea of burying your child, you should also name?—*Answer.* At the break of day, under the plea of burying my son, I went out of the village; at this time I was not accompanied by any one, and the child being but an infant, parties belonging to my caste had not come to condole with me, but upon such parties, as it were incumbent to do so, bathed upon the occasion, and the names of such of them as I recollect are as follows: Tullaveea Bheeka Hurrybhoy and Bhoodur Bhana, these two persons I recollect having seen; the others might have bathed and returned, but I have no recollection of having seen them do so.

At the time that Dada Havildar was conveying away your son, he must have informed you of the party to whom the child was about being conveyed to; such party's name you are required to mention?—Dada Meeah did not mention to me the name of the party for whom he was conveying the boy; he merely said that the boy would be well cared for, therefore what necessity was there for my knowing the party's name? There is no difference in the above deposition, marked and dated as above.

Regarding the above case, on the 12th Bhaderwa Sood, St. 1904, 10th September 1848, you are again examined, and you are cautioned to declare, upon oath, nothing else but that which is the truth. For the consideration of 100 rupees, through the instrumentality of Dada Meeah Havildar, you having given up your son, you are required to declare, upon oath, all the particulars which transpired regarding this boy, and also his present whereabouts?—After I had given up my son to Dada Meeah Havildar for the sum of 100 rupees, about a lapse of a year, Dada Meeah Havildar went to Baroda, and who knows what had been said to him upon this subject; but one night whilst asleep in the village grain-yard I was pounced upon by three Arabs and made prisoner; my wife, who was at home, was brought, and then, together with Tullaveea Joria Jusla, who was also sleeping in the grain-yard, were also made prisoners, and about midnight brought to Baroda and taken direct to the garden of Hurry Bhugtee and placed under confinement. At this time a rumour was current in the city to the effect that the infant taken into the family of Hurry Bhugtee was spurious and my son, and having heard of this, I concluded that my being brought to Baroda was connected with this rumour. We remained in confinement the whole of the next day, and at night Dada Meeah Havildar came to me and said, "Take back your son whom I got from you," I answered, "If I receive back this boy at present, how was I to provide for him, because the 100 rupees which I had received I had already expended; thus did I oppose the measure, but he remained deaf, and continued the whole of us under confinement for 10 or 12 days; after which, one night, about 9 or 10 o'clock, Havildar Dadabhoy, accompanied with a female bearing this boy, came to me, and Dadabhoy desired me to receive back my son whom I had given to him, and at this time I saw the child, but in consequence of having grown much from the time when I had given him, when he was but two months old, I did not recognize him until I inspected the boy's nose, eyes and ears, and the boy, myself, my wife and Joria, under an escort of Arabs, were sent back to my village of Amlyara the same night, and after escorting us to Amlyara I know not where the Arabs went to. Joria went to his home, and the boy was kept at my house for three or four days, after which, from Sett Hurry Bhugtees, at Baroda, four Arabs arrived in the village, and they caused my wife to bear the child, who with myself and wife, the Arabs located in the vacant house of Patell Khandass, and the Arabs guarded us there; myself and my wife, however, were permitted occasionally to visit our own house, and my wife's milk having failed her, the boy was fed upon goat's milk, scons, &c., and for about two or three months the child continued at this house, and I also used to visit and stay there; and during the last hot season the cholera broke out in the village, and the child was attacked with it, and commenced vomiting and purging, from which he on the following day, about 3 o'clock P.M., died, when one of the Arabs went and informed the mehta of the same at the grain-yard, whereupon Mehta Hurjeevun went to Baroda to inform the Sett about it, and as some delay took place before his return, a Dharasurmeeya, named Runchore, was also despatched to Baroda, and about 7 o'clock the same evening, the Arab Jemedar, sepoys and Mehta Hurjeevun came to the house, and having seen the corpse, gave me permission to dispose of the boy agreeably to the usage of our caste; and after obtaining this permission I sent for my brother Bhooden Bhana, who carried the corpse; this was about 9 or 10 o'clock, and having a torch with us, we, together with the Arabs, conveyed the corpse to the burial-place situated upon the river bank, and having buried it, we returned; and on our return, myself, brother and wife bathed ourselves; and the fourth day, for the purpose of observing the necessary ceremonies, four maunds of "paddy" was given to me from the house of

Ryejee,

Ryejee, who had been instructed to do so from Baroda; and this paddy was converted by me into rice, with which I fed the whole of my caste people, great and small. The above are all the particulars which transpired, and which, upon oath, I have faithfully deposed to.

Dated and signed as above.

Further Examination.

Question. On this day, Bhadurwa Sood 15th, 13 September 1848, in the Amlyara Chowra, you are in the above case required to point out the spot in which the corpse of your son, who had died in Patel Kandass' house, and upon which occasion, Jemedar Syed bin Munsoon having come there from Baroda with permission for its disposal, your brother Bhordur Banna carried the corpse, and yourself and the Jemedar and Arabs accompanied, and had it buried on the river bank?—*Answer.* The spot pointed out this day by me to Trimbuck Shastree Munore and Bappoo Myral Shastree, on the river bank, is the same in which the corpse of my son had been buried in. Dated Bhadurwa Sood 15th, 13th September 1848.

(signed) *Tullaveea Dulleeah Bhana.*
(In the handwriting of
Patel Narrain Bhandrawun.)

No. 41.

Translation of the Deposition of Tullaveea Dullueea Bhana; Religion, Hindoo; Caste, Tullaveea; aged about 35 years; Occupation, "Vurtunneea;" Inhabitant of Amlyara, of the Baroda Purgunnah; taken upon oath at the Guikwar Sirkar on the 10th Assoo Sood, St. 1904 (7th October 1848.)

Question. You are required to state, with reference to what has been advanced by Hurjeewun Ghoutumram Mehta, of the Amlyara village, what answer was made by you to the Sookalupura Patel Poonja Hurreebhaee, when he interrogated you about your son; the nature of the questions put to you by this individual you should also state?—*Answer.* About 10 or 12 days ago I had gone to the Sooklupoora "Seem," where I met Poonja Hurreebhaee Patel; he informed me that the Patel of Hurne, named Kalleedas, wanted to see me. I inquired why did he want to see me, when he informed me that if I would give information regarding my son I would be recompensed and protected, informing me at the same time that he (Poonja) had been instructed by Kaleedass to intimate the above to me, and strongly advised me to go to Hurnee; upon this I informed him that my son had died, consequently of what use would any information regarding him be; and after the above conversation Poonja Hurreebhaee left me and went towards Amlyara, and I having finished the business which took me then returned home, and three or four days afterwards intimated the whole of the above conversation to Mehta Hurjeewun.

You state that Poonja Hurreebhoy promised you protection if you gave information regarding your son; did he at this time also promise you any pecuniary reward?—He promised me protection, and also a reward of 10 or 12 rupees, but the boy having died, what information could I give?

Dated as above. (signed) *Tullaveea Dulleea Bhana,* his × mark.

Note.—A piece of the last bund had been cut, and the date and signature entered on the back of it.

No. 42.

Translation of a Deposition made on oath by Joroa Juslia; Caste, Hindoo Tullaveea; aged about 35 years; Profession, Puggy; Inhabitant of the Village of Amlyara, Pergunnah Baroda; Bhadurwa Sood 10, St. 1904 (Sunday, 8 February 1848).

Question. State whether the statement read over to you to-day is the same which was made by you at Hurree Bhugtee's house on Falgaon Vud 7th, St. 1903 (9th March 1847); if not, point out the difference?—*Answer.* In the past summer, the month is not known, Baba Nafra, &c., called me at Hurree Bhugtee's, and desired me to state the whole particular connected with the boy whom they said I had brought to Bhanabhoy from Coolie Dulleea Tullaveea at the desire of Dadabhoy Havildar; the statement now read over to me is the same which I made on that occasion on oath.

In that statement you said, that according to the orders the havildar might have given to the bhunjee on his going to Baroda, the latter desired you and village guides to go and escort the havildar, who was to come from Baroda; state what was the name of the bhunjee?—As the message was told by the bhunjee to my wife, who communicated it to me when I returned home, I do not know what bhunjee it was.

While you were bringing the boy to Baroda in a basket, did anybody meet you on the road, or at the jampa or gate, and did any one ask you anything about it?—It was a dark night, and at about 8 P.M. I took the boy, so nobody met or asked me anything about it.

How did you become acquainted with Bhanabhoy and Ladbaee?—I know Bhanabhoy, as he was mehta of my village; and Ladbaee I know, because I was taking to her house vegetable and milk, &c.

After the boy was given, Dulleea gave out that the boy was dead, and went to bring the corpse; did you or any other person go there with him?—He went alone; I, being fatigued, in consequence of having then returned from Baroda, fell asleep; Dulleea said that he had pretended the boy's death.

No. 43.

TRANSLATION of the Deposition of Rhyejee Bachur; Religion, Hindoo; Caste, Koonbee Laiva; aged about 40 years; Occupation, Patel; Inhabitant of the Amleeara Village, Pergunnah Baroda; Bhadurwa Sood 13th, St. 1904 (11 September 1848).

Question. THE depositions of yourself, Eshwur Wunnarsee and Nurrotum Narrain were conjointly taken at the house of Hurree Bugtee, on the Second Jest Sood 2d, Sumvut 1903 (14th June 1847); this deposition is read and explained to you, and you are requested to testify whether it be the same; and if any inaccuracies obtain therein, you are required to testify and correct them?—*Answer.* I recognize the deposition just now read and explained to me as the one we three persons above mentioned deposed to in Jest (June) last, and further, I declare that it contains nothing but the truth.

(signed) *Patel Bhyejee Bachur,*
by Nurrotum Narrain.

Question. This day you are required, in the investigation of this case, to detail all particulars which may have come to your knowledge regarding the giving away at Baroda of the son of Tullaveeaya Dullpeaya, of Amleeyara?—*Answer.* About the boy being given I know nothing, but when the boy was about being returned to Tullaya Bhanna, three Arabs belonging to Hurree Bugtee came from Baroda to call this Tullaveeya, and they sent for me to the village grain-yard, after which they seized Tullaveeya Dulleeya and Jooria, and having sent for Dulleeya's wife from his house, the whole three they conveyed, about 2 A. M., from the village to Baroda; and about 10 or 12 days afterwards, having the child with them, Dulleeya, his wife Doodhee, and Jooria were escorted back to the village by a guard of Arabs, and after leaving them at the village the Arabs returned to Baroda. About three or four days after this I came to Baroda, and having called at the Sett's house, I intimated to Bhugwun Moojniudar that the boy was at the Tullaveeya Dulleeya's, but which, being small, he was constantly crying, and appeared to be uncomfortable. This Bhugwun intimated to Baba Nafra, and after having done so, he returned to and directed me to locate the child in the house of Khandass Patel, who had left the village, as it was more commodious; and he also promised to send four Arabs with me. They arrived the next day at Amleeyara, when I took them with me to Tullaveeya Dulleeaya's. Dulleeya was not at home, but his wife Dhoodee was, and I informed her that as her child appeared to be uncomfortable in her house, and constantly crying, she should take him with her and occupy the house of Patel Khandas, and having said so, I got Dhoodee to carry the child, and accompany us to the house of Patel Khandass, where, up stairs, I located them, under the charge of the four Arabs who had come from Baroda; and an old cradle, which was lying at Patell Khandass' house, having procured, some cloth from Baroda I got repaired for the child's use. The child remained at this house for about a couple or three months, when, in the month of Jest (June), the cholera broke out in this village, and about 30 or 35 persons fell victims to its ravages, and I learnt that this child was also attacked with it, and died; and subsequently I also learnt that the boy was one day attacked with fever, and the next day with vomiting and purging, which continued the whole of that day, night, and till about two o'clock P. M. the next day, when he died. This I learned from certain parties at the village grain-yard. At this time Mehta Hurjeewun was with me at the "kullee," and I directed him to send word of the child's death to Baroda. Upon which the village dharrasunneyas was dispatched to Baroda, and as some time elapsed before he returned, Mehta Hurjeewun mounted his horse and followed him to Baroda, from whence, having obtained permission, he returned to the village about dusk in the evening; after which I heard that a jemedar had come from Baroda, who, after viewing the corpse, gave permission for its burial; but who had given permission, or by whose suggestion, I know not. The above, having deposed to upon oath, contains the truth.

When the boy was taken and located at the house of Patel Khandass, do you know for what purpose the guard of Arabs was placed over the boy?—Yes; when I had gone to the house of the Sett and informed Bhugwun Mujmoodar, the Sett's goomasta, that the boy was constantly crying, and appeared to be uncomfortable, then Bhugwandass desired me to locate the child at the house of Patel Kandass, and for fear that he might be kidnapped therefrom, a guard of Arabs should be placed over him; thus he said to me; and further, he directed me to provide the Arabs, Dulleeya, his wife and the child with supplies, and that he would remunerate me for the same. There is no difference in the above deposition.

When the son of Tullaveeya Dulleeaya died, did you give the Tullaveeya anything to enable him to observe the boy's funeral ceremonies?—Being instructed to do so by Mehta Hurjeewun from the Sirkar's barn, I gave this Tullaveeya four maunds of "paddy" and a rupee's worth of ghee, for the purpose of enabling him to observe the boy's funeral ceremonies; and Dulleeya having taken the above, he with it fed his caste people. There is no difference in the above deposition.

Dated and signed as above.

No. 44.

No. 44.

TRANSLATE of the Deposition, on oath, of Dhoodee, Wife of Tullaveeya Dulleeya, aged about 30 years; Occupation, Domestic Duties; taken at the Durbar on the 10th and 3d Bhadurwa Sood, Sumvut 1904 (8 and 11 September 1848).

Question. THE deposition given by you at the house of Hurree Bhugtee, on the 7th Phalgoon Wud, Sumvut 1903 (9th March 1847), is read and explained to you from first to last, and you are required to declare on oath, whether this deposition contains the truth or otherwise; and if any inaccuracies exist therein, you upon, at the present time, correct the same.—*Answer.* Last year Baba Nafra and others sent for and desired me, at the house of Sett Hurree Bhugtee's, to recount all the particulars relating to the giving away of my son through Dada Meeya Havildar at Baroda, and thereupon I made a true and faithful statement of all I knew regarding the affair. The deposition now read and explained to me is the same, and I declare on oath that it contains nothing else but the truth. S. O.

(signed) *Dhoodee*, the wife of *Dulleeya*,
her × mark.

Dated as above.

Examination continued.

Question. When you gave birth to the boy whom you subsequently gave to Dada Meeya Havildar, the females who came to assist you on the occasion you are required to name?—*Answer.* Bhye Baniee, the wife of Ooka Tulleeaya, assisted me upon that occasion.

After having given away the child to Dada Meeya, yourself and husband, under the plea of the child having died, commenced lamenting and weeping, therefore you are required to declare the names of the parties who may have come and joined you both in your lamentations, &c.?—Nobody had come to join us in our lamentations, but those upon whom it was incumbent bathed themselves at their own homes; the child being but an infant, it was not necessary that parties should come and lament with us. There is no difference in what I have deposed to.

Dated and signed as above.

On the 13th day of Bhadurwa Sood, Sumvut 1904 (11 September 1848), the Witness is again cautioned, and examined upon oath.

Question. Through Havildar Dada Meeya, you received and gave away your son for 100 rupees; therefore you are required to particularly state what occurred after you had so disposed of your son, and his present whereabout?—*Answer.* My sucking infant, about five or six months old, is alive at present; the son I gave birth to before him, when about two months old, Havildar Dada Meeya gave 100 rupees for and took away, and about a year subsequently to his doing so, from the house of Sett Hurree Bhugtee, about three or four Arabs came to our village at Amleeara, and at midnight conveyed myself and my husband and kept us there in confinement under a guard of seepahees for about 10 or 12 days; and during our confinement there, I learnt that my son, whom I had given to Dada Meeya Havildar, would be returned to me, but from whom I learnt that I do not recollect; but one night, about 9 or 10 o'clock, a female, whose name I never learnt, and a male brought my son to me, and said, "Take back your son whom you had given to Dada Meeya;" and having said so, they placed the boy in my husband's, Dullia Tullaveea's, lap, upon which myself and husband faintly recognized the boy as our child. The child was weeping, and Havildar Dada Meeya came to and informed us that the boy was our son whom he had taken from us, and inquired whether we recognized him as such, and further asked us to certify that we had received him back, and my husband assured him of his having recognized the boy as our son, and of having received him back; but he, at the same time, intimated to the havildar, that the 100 rupees which had been given him for the child he had expended, consequently, from where was he to procure this sum to return to him; and still further, my husband inquired how he should provide for the child if he received him back; to this the havildar replied, that he would not be required to refund the amount, and upon this assurance being given, I carried the boy, and under an escort of three Arabs we returned to our village at Amleeyara; and on the road, myself and husband carried the boy alternately; and Joria also accompanied us; and thus having escorted us to our home, the Arabs left us there and returned; three or four days the child remained with us at our house when four Arabs came from Baroda, and having along with them our village Patell, Ryejee, they desired that I should take the child with me and occupy the house of Patell Khandass; whereupon I took the child and went with the Arabs and lived at the house of Patell Khandass, and I used to cook the child's and my own meals there, and feed the child; I used, likewise, to buy it goat's milk from my own house and give to the child; and my husband also used, once or twice in the day, to come and visit myself and child there; thus myself and the child remained at Patell Khandass' house for about three or four months, and a guard of Arabs used to keep watch over us; afterwards, during the hot weather, the cholera broke out in the village, and many of the villagers fell victims to its virulence; this child was also attacked with it, and commenced vomiting and purging the whole of one night and till the afternoon of the next day, about three o'clock, when he died; at this time myself and my husband were present and we both commenced weeping, and the corpse remained in the same place till about half-past seven o'clock in the evening,

when it was said, that permission having been obtained from the Sirkar at Baroda, orders were given for its removal, whereupon my husband and brother-in-law (Jeyt) Bhooder, carried the corpse and took it to the burial place for interment, after which I proceeded weeping to the tank, and having bathed, returned to my home. The above is all that I am aware of.

After the death of this boy, was the "Khandeeya"* ceremonies performed?—For the purpose of observing this child's funeral ceremonies, we were presented with four maunds of paddy from the Sirkar, *i.e.* Settjee; this was converted into rice by us, and with it we fed all the little and big children of our caste on the fourth day after the child's death.

There is no difference in what I have deposed to above.

Dated and signed as above.

The signature of the deponent I have traced with my hand by her request.

(signed) *Patell Nurrotum Narrain.*

No. 45.

TRANSLATION of the Deposition of Nurrotum Narrayen; Religion, Hindoo; Caste, Sewa Koombee; aged about 40 years; Occupation, Patelship; Inhabitant of Amleara, Purgunnah Baroda; taken before the Guikwar's Durbar, on Bhadirwa Sood 13, St. 1904 (11 September 1848.)

Question. THE depositions of yourself, Eshwar Vunarsee and Byjee Bechur were taken together at the house of Sett Hurry Bhugtee's, on 2d Jest Sood 2d, St. 1903, 14 June 1847, which being read and explained to you, you are called upon to testify whether they contain the truth or otherwise?—*Answer.* We three were sent for about Jest last (June), to the Setjee's shop, and our depositions taken together, which are the same as those read and explained to me just now, and they contain the whole and nothing else but the truth.

(signed) *Patel Nurrotum Narrayen.*

Question. In the investigation of this case, you are this day asked, whether you have any knowledge of the son of Tullaveea Dulleea being given away at Baroda, and if you have, you are requested upon oath to declare all the particulars you may be aware of?—*Answer.* I know nothing about the boy being given away at Baroda, further than that three Arabs had come from the house of Hurry Bhugtee, at Baroda, to call Tullavee Dulleea, his wife, Dhoodee and Tullaveea Joria, about nine o'clock on Phalgoon Vud 1st or 2d (March 3d or 4th); they came to me in the village grain-yard, and informed me that they were come for, upon which I pointed them out to them, and the Arabs the same night returned with them to Baroda. About eight or ten days afterwards, Tullaveea Dulleea, his wife Dhoodee, Tullavee Joria, and a child, under an escort of Arabs, were brought back to the village, and left at my house; when I learnt that Tullaveea Dulleea had given away his son at Baroda, through Dada Meeah Havildar, to the family of Hurree Bhugtee, and that this boy had been returned to him. The boy remained at Tullaveea Dulleea's house for about three or four days, when he was conveyed to and located in the house of Patell Khandass Wusta, under a guard of Arabs; in this house the boy might have remained for about two and a half or three months, when in Jait last (June), the cholera broke out in the village, and many of the villagers fell victims to its ravages; this boy was also attacked, and having purged and vomited all night, and till noon the next day, he died; I became aware of the news of his death from the villagers at the grain-yard. Dharrasunneea Runchor and Metha Hurgeevan went to Baroda to report the boy's death, and they returned the same evening at dark; the child's corpse was buried about seven or half-past seven o'clock the same evening; Tullaveea Dulleea and Bhoodur conveyed the corpse to the burial place, and the five Arabs accompanied them.

This is all that I know about this affair.

Dated and signed as above.

No. 46.

RANSLATION of a Deposition made on oath by Bheeka Hurreebhaee; Caste, Hindoo; Religion, Tullaveea; aged about 40 years; Occupation, Puggy; Resident of the village of Amleara, Purgunnah Baroda; dated Bhaderwa Sood 13, St. 1904 (Wednesday, 11 September 1848).

Question. As you live near Tullaveea Dulleea of Amleara village, state whether you know that a boy was born to Dulleea's wife, prior to the sucking one she has now got; if so, when was he born, and where is he now?—*Answer.* About one or one and a half years before the birth of the present sucking boy, a boy was brought forth by Dulleea's wife, but about one or one half month after which, one day, on my return from the barn, I heard that the boy was dead and buried by Dulleea; the child was but too young, and not related to me.

Dulleea

* This ceremony consists in feeding the parties helping to carry the corpse.

Dulleea is my Peetnaee Salla (son of my wife's paternal uncle); I therefore did not go to wash my body, but only sprinkled some water over my clothes. On the fourth day of the boy's death, Dulleea gave a dinner to the street people, at which my children were gone with other children of the street. About six months, or one year after, it was rumoured in the village that the boy who was falsely proclaimed dead, and given by Dulleea to somebody in Baroda, was brought back at home; this I heard on my return from Kanun village. The boy was kept in the mansion of Kandass Patell of my village, and died of cholera, which prevailed at my village in Jest last (June) 1848, and by which many people were carried off. When Dulleea and Bhoodurreea took the boy to bury, I went and washed my body in a pond, and afterwards come and slept in the barn.

Did Dulleea perform all the ceremonies of the boy's death, and did you go to dine at him, with others of the street?—My house people went to dine at him, with others of the street, on the fourth day of the boy's death, but I did not, for we are not on terms, and do not speak with one another.

He states there is no difference in this deposition.

(signed) *Bhuka Hurreebhoy.*

No. 47.

TRANSLATION of the Deposition of Bhoodur Pannah; Religion, Hindoo; Caste, Tullaveeya; aged about 40 years; Occupation, Vertunneeya; Inhabitant Moja Amleeyara, Pergunna Baroda; taken before the Guicowar Sirkar, upon oath, on the 13th and 15th Bhaduwa Sood, Sumunt 1904 (11 and 13 September 1848).

Question. Tullaveeya Dulleeya Bannah at present has a sucking infant, therefore you are asked whether his wife had a son before the present one, and if she had, you are called upon to state where at present he is?—*Answer.* At present my brother Dulleeya's wife has a sucking infant, she, however, about 18 months ago, had a son born to her, but he only lived for about a month or a month and a half, and died; and having buried the corpse, my brother was returning to his house weeping, from which, becoming aware of the fact, I bathed; and four days after the infant's death, the "chowleeya" ceremonies were performed, and the caste feasted, upon which occasion my children also went, together with the children of the neighbourhood, to partake of the dinner; after which, about a year or 15 months, my brother Dulleeya, and his wife Dhoodee, both of them at night returned to their houses from Baroda, with a child; on the following day I became acquainted with their having done so, and that the child of Dulleeya, who was said to have died, and on whose account the "chowteeya" ceremonies were performed, was alive, and had been given away at Baroda; and when the child was brought back, I saw this child playing together with the children in my neighbourhood, and about three or four days afterwards this child was located in the house of Patel Khandass, who had decamped from the village, and a guard of Arabs were placed to watch over the child; subsequently, when the rice plants were being sown, the cholera broke out in our village; this child was also attacked with it, and of which he died, when Mohta Hurjeewan sent Dharunsanneya Runchoreeya to Baroda, to report the child's death, upon which a jemadar and three Arabs from Baroda came to our village, and having viewed the child's corpse, gave permission for its burial; whereupon, myself, my brother, together with three or four of the Arabs, with a torch, proceeded to the burial place on the bank of the river, and buried the body, and returned home. This is all I know about this affair.

At what hour did this boy die; and was permission given you for the burial of the corpse the same or the following day?—The child died about one o'clock P. M., after which the Mehta Hurjeewun sent a dharsunneeya to Baroda to obtain leave, and permission was received by us about seven o'clock P. M., after which we took and buried the corpse.

Formerly certain ceremonies were performed, under the plea of this child's death; when, however, the child actually had died, were the usual ceremonies observed?—After the child's death, the mehta and patell gave us four maunds of "paddy," and having converted it into rice, it was cooked, and the great and small children of our neighbourhood fed with it.

When permission was given by the mehta for the burial of the child's corpse, who bore the corpse to the burial place?—I carried the corpse upon my shoulders to the burial place, and buried it. There is no difference in this deposition.

(signed) *Tullaveeya Bhoodur Banna,* his × mark.

Further Examination, this 15th day of Bhadurwa Sood, Sumunt 1904 (15 September 1848).

Question. In this case at the Amleeyara village chowra, you are required to point out the place on the river side in which yourself, your brother, the jemadar and the Arabs, conveyed and buried the corpse of your brother's son who had died in the house of Patell Khandass?—*Answer.* The place I had pointed out on the river's bank this day to Trimbuck Shastree Munnore and Bappoo Myral Shastree, is the identical spot in which the corpse of the boy had been buried. Dated 15th Bhadurwa Sood, Sumunt 1904 (13 September 1848).

Signed as above.

No. 48.

TRANSLATE of the Deposition of Punnee Woman; Religion, Hindoo; Caste, Dussadree Malla Banian; aged about 50 years; Inhabitant of Mharwar, residing for the last 35 years at the house of Sett Hurree Bhugtee; taken at the Guicowar, on oath, on Bhadurwa Vud 6th, St. 1904 (18 September 1848).

Question. WHERE are you at present employed, and what is the nature of the work you do?—*Answer.* I am at present in the employ of Setanee Joitubaee, and have been so from the date of the Setjee's death up to the present date.

Since you have been constantly with the Settanee, do you know anything about the Settanee becoming pregnant and having given birth to a son; and if you do, you should state all particulars regarding it?—Six or seven days before the Setjee's death, the Setanee Joitebaee had her periodicals upon her, consequently how could she have been enceinte; and as I used to be constantly in attendance upon her, I am well aware that she was not enceinte before the Sett's death, and the day after the Sett's death I was exclusively made over to attend upon the Settanee; and four or five days after being so, Settanee Joitebaee weeping declared that she was pregnant, and lamented that there remained no one to fill her lap,* and that her hopes were blasted; and from her doing so the people were impressed with the belief that she was really enceinte. Both the Settanees after the Set's death used to occupy the same room, and continued doing so for about 15 days, and during this time the elder Setanee's brother visited them twice or thrice, but the younger Settanee's mother used to come daily; afterwards, consequent upon the elder Settanee being attacked with sore eyes, she left, and went and resided in the new house, where Purshotum Shet lived, and the younger Settanee went and lived in a room in the old house, and accompanied and remained in attendance upon her there; and about three and a half months after the Sett's death, one night about 10 o'clock, Lardbaee visited and went away, and soon after the Setanee Joitubaee sent for a palkee, got into it, and went to her parents' house, and I also followed her there; when I arrived, the Settanee was seated in a room upon the upper floor, and Ladbaee was with her; Lardbaee asked me to go down stairs, and sift and bring some ashes; whereupon I went down stairs for the purpose, and not being able to get any, I remained down stairs, and Lardbaee having called me, I returned up stairs and saw upon the floor of the room an infant lying, and the Settanee seated upon a stool, and Ladbaee near her; and at this time Ladbaee's sister's daughter, who was sick, got up and drummed upon a "thallee," whereupon Banabhoy and the rest of the family congregated, and the news was given out that the Settanee was delivered of a son. This is all that I know.

As you were constantly on attendance upon the Setanee, did you observe [the Settanee's stomach enlarged like that of a female in the family way?—She used to be always seated covered with shawls, consequently I had no opportunity of seeing her stomach, and further, she used not to allow me to touch her person, but parties from her parents' house and Ladbaee used to be permitted to touch her person.

You have stated above that the Settanee went to the house of her parents at night, "and I also followed her there, and saw the Setanee and Ladbaee seated in a room upon the upper floor; Ladbaee directed me to bring some ashes, and I went down stairs to do so, but as I could not find any ashes, some time elapsed, whereupon Ladbaee called to me, and I returned up stairs; and upon my doing so, I saw an infant laying upon his back on the floor of the room and Setanee Joiteebaee seated upon a stool;" therefore you are asked since you saw the infant, whether the umbilical cord was attached, and whether the infant had the appearance of having been recently brought forth or otherwise?—I saw the infant lying upon his back, but he had not the umbilical cord attached to his abdomen, neither did he appear to have been recently brought forth, nor did the Settanee appear to have been recently accouched.

Did you at the time inform the elder Setanee that the infant had not attached the umbilical cord, and that the Setanee Joitabaee had not the appearance of having been recently accouched?—I, being but a menial, how was I to speak about the affairs of great people? I was neither interrogated upon the subject, nor did I make mention of it.]

When you saw the infant laying upon his back, and having not the umbilical cord attached, nor any appearance of his being recently delivered, did you entertain any doubts in your mind of Joiteebaee's accouchment, and did you suspect that the boy was spurious, and had been procured for the occasion?—When I first saw the boy he had his umbilical cord separated, and did not exhibit any sign of having been recently brought forth, therefore it is true that I suspected that the Settanee had not given birth to him, but procured for the occasion; but how was I to mention the suspicions entertained by me regarding a great family to anybody?

Do you know from whom this child had been procured?—No, I do not know from whom the child had been procured.

For what a length of time did you nurse this child?—After the birth of this child, I remained with the Settanee for about 17 days, and then returned to the Sett's house, and once in five or 10 days I used to go to Bannabhoy's house; for many days the child was nursed

* When a female is enceinte with her first child, it is usual on the 7th or 9th months of her pregnancy to pwl the caste and her husband to "fill her lap" with fruit, sweets, &c.

nursed by the wet-nurse and Ameechund, and other servants, but I never nursed him. The boy was named Moteelal.

What was the name of the wet-nurse entertained to suckle Moteelal?—I know not.

When Moteelal was suffering from small-pox did you see him?—No, I did not, but I heard that the boy was suffering from small-pox.

What message did Settanee Joiteebaee entrust you to deliver to Dada Meya Havildar of Amlyara?—When the rumour about the child went about, and everybody began talking about it, Joiteebaee Setanee sent for Baba to the upstair of the new house, and she informed him that the people said many things about this boy, therefore to send for Dada Meeah Havildar, and direct him to return the boy to the parties from whom he had procured him; at this time Dada Meeah was at the Sett's old house, therefore owing to what was said to her by Baba, the Settanee directed me to go to Dada Meeah and inform him that it was her wish that the boy should be returned to the parties from whom he had been procured, and to no other person, because the child was a tender flower, whereupon I went to Havildar Dada Meeah, and having got him to swear by his Koran, Roza, and by the sins which caused the famine of St. 1869 (A.D. 1812–13), I delivered him the Setanee Joiteebaee's message, with which I had been charged, and if he delivered the boy to any other body, the sin of breaking the above oaths would rest upon him, to which Dada Meeah answered that he would restore the boy to his parents, and if he gave the boy away to any other body, the above oaths would rest upon him. This I communicated to the Setanee, whereupon Baba Nafra said to the Setanee, that she was his mother, and what was destined had happened; therefore for the future she should conduct herself with rectitude; to this the Settanee replied that she had no hand in bringing the boy, but that her parents had done so, and consequently should be held responsible; and she confessed, further, that the boy was not her son. After the above conversation, Baba wrote and gave the Settanee a "leck," and the Settanee also passed a leck to the Baba, whereupon Baba said, Your parents, notwithstanding the crime they had been guilty of, were still the Setjee's father and mother in laws, and consequently a stipend of 200 rupees yearly would be settled upon them for their subsistence, and they will be looked upon with favour; and the same night on which the above took place, the boy Moteelal was caused to be carried by his nurse, whose name I do not at present recollect; and some men being directed to accompany her as an escort, the boy was taken away for the ostensible purpose of being returned to his parents.

You have stated above that lecks had been interchanged between Baba and Joiteebaee Settanee; therefore you are asked to name the parties who were present on this occasion?—Settanee Joiteebaee, Baba, Dessaee Dyashunker, Mujmoodar Bhugwan and myself were present on that occasion.

You have above stated that you had heard that when the child of Joiteebaee Settanee was about two or three months old, he was attacked with small-pox, therefore you are asked whether the boy, before being returned to Dada Meeya Havildar, was constantly seen by you, and whether you observed upon his person any marks which might have been left by the pustules?—The boy directed by Setanee Joiteebaee to be returned to his parents, named Mootelal, I was in the constant habit of seeing, but never observed upon his person marks of the small-pox.

The deposition given by you at Hurry Bhugtee's house on Chytur Sood 7th, St. 1903 (3d April 1846), is read and explained to you, and you are requested to state whether it contains a true statement of the facts or otherwise?—The deposition formerly given in by me at Sett Hurry Bhugtee's has been this day read and explained to me, and I declare that it contains a true statement of the fact which transpired. There is no difference in this deposition.

(signed) *Vomon Baee Punnee*'s × mark.

No. 49.

TRANSLATION of the Deposition on oath of Bhugwan Bheewaneedass; Religion, Hindoo; Caste, Bunnean Dussa Deseywur; aged about 34 years; Profession, Service; Inhabitant of Korul, and Meejmooddar of that place, now Goomasta in the shop of Hurree Bhugtee, made at the Durbar on Bhadurwa Vud 13th, Sumunt 1904 (A.D. 25 September 1848).

Question. DID Joiteebaee Settanee, younger widow of the late Bechurbhoy, get a writing written by you to be presented to the Sirkar; if so, state the particulars about it?—*Answer.* In Fagunmas of Sumunt 1903 (A. D. February and March 1847), a rumour was spread that Joiteebaee Settanee got a koolee's son, and a kolee from Metapoor came to Bhanabhaee's house on account of a writing passed to him for the payment of a certain sum for his "Jeevaee," who not giving any heed to that man, the kolee went to the house of Hurree Bhugtee; this gave rise to the rumour; on this Settanee Mahaluxmibaee made inquiries from Baba and other goomastas, and found that a koolee's child had been brought. The Shets of the Baee's caste were called at the shop and questioned on the subject; they replied that if Joiteebaee had brought a koolee's child, that child could not be admitted in the caste, if it did they would all lose their caste, &c. On inquiring it appeared that the present boy was got by Bhanabhaee and Laurdbaee from Amleeyara, the son of a Tullaveya, through the havildar Dadaboy; the first boy was the son of a koolee of Meetapoora, who died from small-pox; the second boy was from Amleeyara; this news was spread all over the city; on this the elder Settanee Mahaluxmee may have given Joiteebaee some advice on this

point, who sent Punnee woman to call Baba Nafra from the shop. Baba Nafra and myself went in to Setanee Joiteebaee and questioned her about the boy; she became dull, and said that her parents brought a boy through the havildar of Amleeyara, Dadabhoy, but whose son he was she does not know; her parents should know this; that by bringing this boy away great has been the exposure; the Settanee has no wish to keep this boy any longer, but to give him up to the person who may own him. Baba then said, Very well, and desired her to give him in writing all that had occurred, so that it may be laid before the Sirkar, and to whoever the boy may belong he will be made over to him. This was about seven o'clock at night. I and Baba then returned to our house. The second day, about five o'clock A. M., I went to the shop, when Punnee woman came from within and said, "Is Baba not come yet?" I replied, No. About half an hour afterwards Baba came, and I told him what Punnee had said. Punnee then came again to call Baba; on this Baba and I went to Settanee Joiteebaee; the Settanee then said that she would give in writing all about the boy; but what arrangement will be made for my parents? Baba said what the father-in-laws of Samulbhoy and Bechurbaee received, the same they will get Settanee. Joiteebaee then asked for a writing granting her parents 200 rupees annually. On this Baba got down and went to the elder Settanee, and after awhile came up again and desired me to make out a writing; accordingly I wrote out a paper in the name of Purshotumboy, allowing Bhanabhaee 200 rupees annually, which Baba signed on the part of Set Purshotumbhoy, and delivered it to the Settanee Joiteebaee. Afterwards Joiteebaee desired me to write out a paper about the boy, so I did as desired by the Settanee; it was addressed to the Sirkar, and stated that her parents had got the boy through the havildar of Amleeyara, but he was not born from her; that after inquiring, the boy should be made over to his lawful parents, &c.; according to this I wrote. In order that this papers hould be signed, Dessyee Dyasunker was called, who was sitting in the shop, and was asked by the Settanee to sign it, who asked me to read the paper to him, and afterwards he would sign it. I accordingly read it, and Settanee Joiteebaee then desired Dessyee Dysunkur to sign it, which he did in the name of Joiteebaee Settanee, and the Settanee placed her mark on it. [The Dessayee then remarked that it should be witnessed; Joitebaee replied that the name of Shree Runchorjee is written as witness. This paper was delivered to the Settanee, who handed it over to Baba Nafra, and desired him to give it to the Sirkar; that she has no wish to keep this boy any longer, but to give him up to the person who may order them. This paper Baba Nafra took away the same night about eight o'clock. Baba Nafra told me that Dulleeya Tullaveeya of Amleeyara and his wife, &c. are in the garden of the Shet's, to whom the boy is to be given up as desired by the elder Settanee, and desired me to take the boy to the garden and give him up to Dulleeya; on this the wet-nurse Khooshallee took the boy Moteelal up, and with havildar Dada Meeyah went to the Shet's garden and told Tullaveeya Dulleeya and his wife that "this son of yours is given back to you, therefore take him away." On this the boy was delivered to him, and as a proof got Dadabhoy Havildar to ask the man if he got back his son whom he had brought away from him. The Tullayea replied, "I have got back my son, but the 100 rupees which was paid to me I have spent it, and if you were to ask for it, from where am I to pay it, and that unless this matter about the 100 rupees is cleared, I will not take the boy away." On this word was sent to the elder Settanee, who sent Baba Nafra to the garden; he came
S. O. and said, Bhanabhaee has paid you 100 rupees, but he has not, therefore he will not take the money from him, but for him to take away his son, he was not to hear anything about the 100 rupees; on this Tullaveeya Dulleeya and his wife, &c. went off the same moment to their house in Amleeyara; three or four Arabs were given to escort them, and they returned the next day, after leaving the Tullaveeya and the boy there. This is all I know.

(signed) *Bhugwan Bhewanedass.*]

No. 50.

TRANSLATION of a Deposition made on oath by Eshwar Vunarsee; Caste, Hindoo; Religion, Sewakoonbee, aged about 35 years; Profession, Patel; Inhabitant of the village of Amleeyara, Purgunna Baroda, Bhadurwa Sood 13 St. 1904 (Wednesday, 11 September 1848).

[*Question.* STATE whether the statement read over to you to-day is the same which was made conjointly by you, Nurrotum Naren and Royee Bechur, at Hurry Bhugtee's house on 2d Jest Sood 2d, St. 1903 (14 June 1847), or whether there is any difference in it; if so, point it out?—*Answer.* The statement now read over to me is the same which was made conjointly by us three above-named in about Jest last (June 1848), at the Settjee's shop; there is no difference in it.

(signed) *Eshwer Vunarsee.*

Question. Do you know anything about the boy of Tulaveea Dulleea Bhana, who was given at Baroda, and if so, state the particulars?—*Answer.* I know nothing about the boy being given at Baroda, but one day (the date is not recollected) three or four Arabs came from Sett Hurree Bhugtee house, of Baroda, to the village barn, and told me that Tullaveea Dulleea of my village], his wife Doodhee, and Tullaveea Joria were to be taken to Baroda. I called these three persons and made them over to the Arabs, who took them to Baroda the same night. About eight or ten days after they came back to the village with the boy and some

some Arabs, the latter went back, after keeping the boy in Dulleea's house, where he remained for three or four days, and was afterwards taken to Patel Kandass' mansion, where a guard of Arabs was placed; he remained there for about two or three months; on one night he was attacked by the cholera, and died of it on the following day at about 2 P.M., which I heard from people in the barn; the cholera was prevalent at our village in the month of Jest (June 1847), and many people died of it there; I told Hurjeewan Mehta to make the boy's death known at Baroda; Hurjeewan Mehta and Daria Sunnea Runchore went thither; the former came back in the evening, and then I heard that the boy was buried by the Tullaveea; I know only this much.

(Signature and Date.)

Question. Did you personally see the corpse of the deceased boy?—*Answer.* I did not see it personally, but heard that the boy was dead of cholera.

(Date and Signature, as above.)]

No. 51.

TRANSLATION of a Deposition of Hurjeevun Gotumram; Caste Hindoo; Religion, Brahmin Moor; aged about 50 years; Profession, Service; Inhabitant of Baroda, in the service of Hurree Bhugtee for the last 10 years, now doing duty since six months as Mehta of Amleeara; taken on oath, Bhadurwa Sood 13th, Sumvut 1904 (Wednesday, 11 September 1848).

Question. As you are Mehta of Amleeara, state whatever you may know regarding the boy who was kept in the house of Patell Kandass of the village in charge of Kolie Dullea Jusla and a guard of Arabs?—*Answer.* On 2d Jest Sood 2d, of Sumvut 1903 (14 June 1847), at about 2 P.M., Tullaveera Dulleea and his wife began to cry, upon which people in the barn said that Dulleea's son who was brought from the Sett's house and kept in Kandass' house, died of cholera, after which an Arab of the guard came and told me the same; I afterwards went to Baroda on a mare, and informed Baba of this, who desired me to go back to the village, make particular inquiries regarding the boy's death, and then allow the corpse to be buried. I accordingly returned to Amleeara, saw the dead boy in Kandass' house, and having learnt from the sepoys, &c., that the boy died of cholera, permitted Tullavera Dulleea to bury or burn the remains of the boy, according to their caste custom. The Arabs of the guard then said, how could they allow the corpse to be carried away without their jemadar's orders, upon which I told them to allow it when their jemadar would come and permit; I afterwards went to the barn at about 8 P.M.

(signed) *Hurjeevun Gotumram.*

No. 52.

TRANSLATION of the Deposition of Sallum Vulluda; Religion, Mahomedan; Caste, Arab; aged about 23 years; Occupation Service, at present employed as a Sepahie at Sett Hurree Bucktee's; taken at the Guikwar Durbar upon oath, on Bhadurwa Sood 13th, Sumvut 1904 (11 September 1848).

Question. FROM the house of Sett Hurree Bucktee you were sent to relieve Arab Moobarruck, who was placed as a guard upon this boy at the village of Amleeara, therefore you are required to state all the particulars on this subject which may have come to your knowledge?—*Answer.* During the mango season, I was ordered by my jemadar to go to Amleeara, where four of our men were, amongst whom one was named Mahomed Doolla; from this person I was directed to receive further orders. Agreeably to such orders I proceeded to Amleeara, and having met Mahomed Doolla, I informed him that the jemadar had sent me to him, when the said Mahomed informed me, that in the Patell's house there was a boy to whom his parents only should be permitted to have access, and no stranger should be allowed to approach the boy; this did he say to me, upon which I joined the other sepahies and guarded the boy who was at the Patell's house, and the mother of the boy, a Tullaveeyan, used to feed and take care of him, and used to send for goat's milk from her house, and give the child, thus used she to do; when in the said village the cholera was raging, this child also took it and laboured under it from a pore of the day (8 o'clock A.M.) till about four gurrees the next afternoon (2 o'clock P.M.), when he became very bad, upon which the said sepahee Arab Mahomed Doolla, went to the village grain-yard, and reported to the Patels and Mehta of the said village, that the boy was very bad and likely in a gurree or half a gurree to die, therefore that they should send word to the Sett at Baroda of the same, and having done so he returned, at which time the child died; this occurred about 3 o'clock, P.M. After which the child's mother commenced weeping, and after the night had progressed a gurree, about 7 o'clock P.M., the Mehta came and saw the dead body of the boy, and told us that he had received instructions from the Sett's house to permit the body to be buried, therefore that we should permit the boy's parents to do so; upon this we replied, that when a person came from our jemadar and gave us orders, then only would we permit the body to be taken away; whereupon the

Mehta returned to the grain-yard; in the mean time our jemadar Munsoor arrived from Baroda, and after looking at the dead body, informed us that permission had been given for the body to be taken away; therefore to allow the Tullaveeya, according to the usage of his caste, to either burn or bury the body; whereupon permission having been given for the removal of the body, the father of the boy and his brother came about six or seven gurrees after night had fallen (about 9 o'clock P. M.), and having from the Banian's shop sent for a seer of oil, they twisted cloth round a stick, lighted it—and cloth being wanted to wrap up the body in, a piece of unbleached cloth was given by Arab Mahomed Doola to the Tullaveeya for the purpose, in which the boy's body was wrapped and carried by his uncle, and his father having the lighted brand in his hand, they went away, my jemadar, Lyad Munsoor, myself, Mahomed Doolla, Arab Hoosun bin Nosser and Arab Moobarruck, in all five persons, accompanied them to the Amleeara field. On the opposite side of the river in the bank, there is a burial-ground, where having arrived, the body was placed upon the ground, and the boy's father and uncle excavated* hole in which the body was deposited, and covered with earth and thorn-bushes; the whole of us returned to the village, where these Tullaveeyas went to bathe, and we came to where we used to put up at, and before our return the boy's mother had left the Patell's house; we remained that night at the village, and the next day, early in the morning, returned to Baroda, and reported what had passed at the Sett's house.

* *S. O.*

After you had, by the orders of your jemadar, to relieve Arab Moobarruck at Amleeyara, how many days intervened before the boy was attacked with cholera and died?—After I had gone on relief to Amleeyara, about five or six days intervened, when the boy was attacked with cholera; he took it about a pore of the day (8 o'clock A. M.), and the next day, about four gurrees afternoon (2 o'clock P. M.) he became very bad, and when about a pore of the day (4 o'clock P. M.) remained, he died. This is all I know on the subject, and there is no difference in what I have deposed to.

(signed) *Sallam Villuda Hasson,*
his × mark.

On Bhadurwa Sood 15th, Sumvut 1904.

The boy upon whom you were placed as a guard had died, and his body was taken by the Tullaveeya to be buried at the burial-ground, and you accompanied the body, therefore you are asked to point out the spot where the body of this boy had been buried?—The spot pointed out by me in the burial-ground to Trimbuck Shastree Munnore and Bappoo Mayrall Shastree, is the identical spot where the body of the boy had been buried. No difference exists in the above deposition.

(Signed as above.)

No. 53.

TRANSLATION of the Deposition of Hoosun Vullida Nassur; Religion, Mahomedan; Caste, Arab; aged about 30 years; Occupation, Sepahee, employed at present as such at Hurree Bhugtee's; taken upon oath at the Guikwar Sirkar, on Bhadurwa Sood 13th and 15th, Sumvut 1904 (11 and 13 September 1848).

Question. YOURSELF and other Arabs were sent from Hurree Bhugtee's house to Amleeara, to take charge of and guard a boy, therefore you are required to state all the particulars of this transaction?—*Answer.* It had been for three or four days before talked of in the city, that the younger widow of Beechurbhaee had procured and passed off as her own the son of a Tullaveea of Amleeara, and that she had been compelled to restore the lad to his parents. When our jemadar Lyad Munsook ordered myself, Leedee Moobarruck, Moobarruck Messur and Mahomed Doolla to proceed to the village of Amleeara, and direct the Mehta Hurjewun to deliver the boy over to our charge, and that after having received the boy, to locate him in the vacant house of Patell Kandass, and guard him. Upon thus being ordered by our jemadar, we proceed† to Amleeyara, and having intimated to Mehta Hurjeevun our instructions in the village grain-yard regarding the boy, the Mehta desired us to remain at the grain-yard, and he would, agreeably to the instruction received from Baroda, cause this boy to be conveyed to the Patell's vacant house, where we could go and guard him, and having said so, he sent for the Patell, whose name I do not recollect, and gave instructions to fetch the boy, after which he desired us to proceed to take charge of the boy, and sent with us a Bungya to show us the house; this Bungya having showed us the house, we went up-stairs, where we saw an infant about 16 months old, and a female of the Kolie caste, both of whom we took charge of and guarded. The female used to cook, both for herself and the child, and she used to wait upon and feed him; goat's milk used to be brought from this woman's house for the child by her son, and occasionally Tullaveeya Dulleea and his elder son used to come to see the woman and the child. We remained thus upon this duty for about three or four months, when the cholera broke out in the village, and 25 or 30 Banians and Koonbie‡ fell victims to the virulence of this epidemic, and one of our men, also Seedee Moobarruck, died from the same disease; thus did the cholera rage in the village, and the boy under our charge also took it, and laboured under it the whole of one night and afternoon; the next day he became quite exhausted and appeared to be dying, whereupon Mahomed Dulla went to the village grain-yard and informed

† *S. O.*

‡ *S. O.*

informed both the Mehta and Patell of the same, but before he could return, the boy died. The boy's mother commenced lamenting and wailing, and Tullaveea Dulleea and his brother, whose name I do not recollect, also came and joined her. About six o'clock in the evening the Mehta Hurjeevun came, and having seen the corpse of the boy, he said to us that he had received permission from the Sett at Baroda, to allow the body to be disposed of agreeably to the custom amongst the Tullaveea, but we said that we could not allow the body to be interfered with without permission from our jemadar, and would decidedly not allow the corpse to be removed, and upon hearing this the Mehta went away to the grain-yard, and a few minutes after our jemadar Munsook came to us, and having viewed the corpse he informed us that he had been instructed by the Sett at Baroda to allow the corpse to be disposed of agreeably to the usage of the Tullaveea caste; upon this we informed the Tullaveeas that they were at liberty to either burn or bury the body. Dulleea having remarked that the night was dark, oil was procured from a Banian's shop, and a torch being made, it was dipped in the oil and lighted. Dullea bore the torch, and his brother the corpse; before this, however, new cloth being required, a piece which Mahomed Doolla had with him was given, in which the body was wrapped. The whole of us, including the jemadar, accompanied the corpse, and having arrived at the burial-place, situated on the opposite bank of the river, the body was placed upon the ground, and the two Tullaveeas having excavated a hole, the body was placed into it, and the grave filled up with alternate layers of earth and thorn bushes; after this the whole of us returned to the village, at the entrance to which the Tullaveeas proceeded to a tank to bathe, and we to our quarters in the village. Before our return, the female, the boy's mother, had gone away; that night we slept at this village, and the next morning returned to Baroda. All that I am acquainted with upon this subject I have faithfully deposed.

(signed) *Arab Hoosein V. Nassur.*

Question. The boy upon whom at Amleeara you remained as a guard for three or four months, you have above stated died of cholera, therefore you are asked whether you ever at any place saw this boy before?—*Answer.* I saw this boy before at the house of Hurree Bhugtee and the younger Settanee of Bechurbhaee, and he was then known as the son of the said Joitabaee Settanee and named Moteelal; I used to see the boy constantly, he being my sett, therefore I knew him well; this same boy was given to Tullavreea Dulleea at Amleeara; and when I went to Amleeara to guard this boy, immediately on seeing him I recognized him, and grieved that this boy Moteelal when at Sett Hurree Bhugtee's used to be loaded with jewels, well clothed and go about in carriages and palanquins, and from his want of luck was given over to the Tullaveeas, and that I was now called upon to be his guard; this was a source of much grief to me.

(Signed and dated as above.)

Question. You have above stated, that you were one of the guards placed upon the boy at Amleeara, that this boy died of cholera, that his corpse was taken by Tullaveea Dulleea and his brothers, for the purpose of being buried, that you accompanied the corpse, and that it was buried in the burial-place, and therefore you are required to state at what place was the corpse buried?—*Answer.* This day I pointed out, on the opposite bank of the river at Amlyara, to Trimbuck Shastree Munhore and Bappoo Myrall Shastree, the spot in which the body of the boy had been buried; the same is the identical spot on which the body was buried.

Dated Bhadurwa Sood 15th, Sumvut 1904 (13 Sept. 1848).

(Signed as above.)

No. 54.

TRANSLATE of the Deposition of Syad Ben Munsoor; Religion, Mahomedan; Caste, Arab; aged about 40 years; Occupation, Jemadar at Sett Hurree Bhugtee's; dated Bhadurwa Sood 13th, Sumvut 1904 (11, 13 and 14 September 1848).

Question. AT the village of Amleeyara, the son of Tullavudya Dulleeya Bhanna, who had been returned to his parents of cholera, and for the purpose of giving permission for the burning or burial of the corpse, you had gone to Amleeyara; state by whose authority you did so; and further, upon oath you are required to relate truly, all the particulars regarding the placing of your Arabs to guard this boy?—*Answer.* Tullaveeya Dulleeya had been sent for to Baroda, where the boy was returned to him, and four or five days after the said Tullaveeya Dulleeya had returned with the boy to Amleeyara, Baba Nafra, the Sett's karbaree ordered me to send four Arabs to Amleeyara, and that they should be instructed to locate the boy, who had been returned, and at the time was with said Tullaveeya at his house, in a house belonging to the Amleeyara village Patell, and guard the said boy, to prevent any other but his parents having access to him; thus did Baba Nafra say to me, upon which I despatched four of my Arabs upon this duty, and when any of these four persons fell sick, I used to send others to relieve them; and agreeably to the above were the guards placed; one of their member* named Seedee Moobarruck, having been taken with cholera, he was placed upon a cot and brought to Baroda, where he died; at this time the Arabs informed me, that on any† persons had fallen victims to the ravages of cholera at Amleeyara,

* *S. O.*

† *S. O.*

Amleeyara, and in place of the said Moobarruck, Arab Sullum was sent to Amleeyara, and after days Baba Nafra informed me that the boy of Tullaveeya Dulleeya under the Arab guard had died of cholera, and that to inform him of this, the Mehta and a Darosunneeya of the village had come to him, to whom he had given permission for the boy to be buried or burnt, but that as my nar* would not heed what these people said, requested me to go personally to Amleeyara, and after satisfying myself that the boy was actually dead, permit the body to be disposed of agreeably to the usage amongst their caste; upon being so instructed, I immediately left Baroda, and about two or three gurrees after night-fall arrived at Baroda, and the house in which the boy had been located I went to, and saw the dead body, and inquired of the guards of what the child had died, when they informed me that the boy had the day before been taken with cholera, and died afternoon† on the day I arrived; at this time these were present, the boy's mother, father and uncle, weeping, to whom I said, that they were at liberty to either burn or bury the boy, agreeably to the usage amongst their caste, because that Baba at Baroda had given his permission; at this time a "pore" of the night having been advanced, about eight o'clock P.M. a torch was lighted and the boy's uncle having carried the boy, proceeded to the burial-place, and myself and my four sepoys accompanied the body; the names of my four sepoys are as follows:—

1. Mahomed Vulluday Doolla; 2, Hussun Vulluday Nassur; 3, Sollum Vulluday Husson; 4. Moobarruck Vullday Ahoab.

These four persons, together with myself, went to the burial-place, and on the bank of the river he was placed upon the ground, and a hole excavated by Tullaveeyas Bhoodur, Bhanna and Dulleeya, and the body was placed in this hole and filled with earth, and some thorn bushes strewed upon the grave, after which we all returned to the village; the two Tullaveeyas went to the village pond to bathe themselves, and myself and my sepoys went to where we had put up; this was about midnight, for which reason we remained in the village for the remainder of that night, and the following morning returned to Baroda, and reported all the particulars which transpired to Baba Nafra. All the particulars regarding this matter which I know I have stated truly above.

The particulars of what transpired when yourself and your Arabs in the first instance had escorted Tullaveeyas Dulleeya, his wife and Joreeya to Amleeyara, you are called upon to truly state?—From the present day about six or seven months ago, one night about eight o'clock Baba Nafra, the Sett's karbarree, ordered me to take two of my men and go to Amleeyara, for the purpose of escorting from thence to Baroda Tullaveeyas Dulleeya, his wife and Joria, and he gave me a chit for this purpose upon the village Mehta, and in accordance with which, having taken two of my men with me, I reached Amleeyara after the night had progressed a pore or a pore and a quarter of the night (about 9 o'clock, P.M.) and delivered the chit to Mehta Hurjeemoun and the Patells in the grain-yard, and agreeably to what was written in the chit, the Mehta and the Patells delivered the Tullaveeyas Dulleeya and Joria to us; and also they sent for Dulleeya's wife, who also they made over to us; these three individuals were made over to our care, and we the same night escorted them to Baroda, and after locating them in the Sett's garden and placed a guard of four Arabs over them, and I proceeded and reported the same to Baba at the Sett's house, when he declared‡ me to place four of my men as guard over the Tullaveeyas. Three of the four men so placed as a guard have gone to Hydrabad on leave, and the remaining one named Mahomed Doollah is present here, and my men remained as guard upon these Tullaveeyas about 10 or 12 days in the garden; and from my men I learnt that the younger Settanee having brought the Tullaveeya's son and passed him off for her own, was returned to the Tullaveeya, and that they had escorted the whole of them to Amleeyara and had returned, thus did they say to me. No difference exists in the deposition.

(signed) *Syad Munsoor's*§ his × mark.

Question. Through Havildar Dadameya 100 rupees had been given and this boy procured from Amleeyara and brought to Baroda; do you know anything regarding the above?—*Answer.* What had transpired before, I know nothing about; but what had passed under my observation, I have deposed to.

(Dated and signed as above.)

Question. Upon this day, Bhadurwa Sood 15th, Sumvut 1904 (Friday), at the Amleeyara Chowra, you are required to point out the spot in which the body of Tullaveeya's Dulleeya's son (who had died and whose funeral yourself and Tullaveeya Dulleeya and his brother accompanied) had been buried?—*Answer.* The spot on the bank of the river pointed out by me to Trimbuck Shastree Monoom and Bappa Myral Shastree, is the identical spot when‖ the body of the boy had been conveyed to a hole excavated by Tullaveeyas Dulleeya and Bhoodur Bannah, and buried.

Dated 13th September 1848.

Question. The son of the younger wife of Sett Bechurbhaee, named Moteelal, did you ever at any time see at Paruck Hurree Bhugtee's, or any other place?—*Answer.* The Settanee Joitabaee's son Moteelall used constantly to be conveyed in a palanquin or carriage to and from the Sett's house, and to be carried about the house by the servants, upon which occasions I used to see and salam to the child.

Having been directed by Baba to proceed to Amleeyara to give permission for the burial of the body of the boy who had died there, it appears that you proceeded there, and in the house

* *S. O.*
† *S. O.*
‡ *S. O.*
§ *S. O.*
‖ *S. O.*

house of Khandass you saw with your own eyes the dead body, and agreeably to the usage amongst them, had given permission for its deposal,* and therefore you are required to state whose corpse you there saw, and whether you recognized it?—I had previously been informed that Joita Settanee had procured and passed off as her own, the son of the Amleeyara Tullaveeya, and that she had subsequently returned the boy (to his parents); and further, I had sent four of my men to Amleeyara to guard this boy; and upon the death of the boy, Baba Nafra having ordered me to proceed to Amleeyara for the purpose of giving permission for the deposal† of the corpse; upon my arrival there, on the floor of the upper story of Patell Khandass' house, I saw the body of this boy lying upon his back, and recognized it as the corpse of the son of Joitabaee Settanee's.

* *S. O.*

† *S. O.*

All that I know regarding this affair I have faithfully deposed to above.

Bhadurwa Vud 1st, Sumvut 1904 (14 September 1848).

(Signed as above.)

No. 55.

TRANSLATION of the Deposition of Mahomed bin Doola; Religion, Mahomedan; Caste, Arab; aged about 26 years; Occupation, a Sepahee, at present employed as such at Hurree Bhugtee's; taken at the Durbar on oath, on Bhaderwa Sood 15th, St. 1904 (13 September 1848).

Question. FROM the deposition of jemedar Syed Munsook, it would appear, that when the son of Tullavee Dulleea Banna was delivered over at the Sett's garden to the said Tullaveea, yourself and three other sepoys were placed as a guard upon the said Tullavee Dulleea, his wife, and Tullaveea Joria; therefore you are called upon to state, on oath, all the particulars which transpired from the time of your being so placed as a guard until the death and burial of this boy at Amlyara?—*Answer.* The day and date I do not recollect, but it was the month of the Hindoo Holy, when one day, myself, Seedee Moobaruck, Arab Moobaruck and Hoosein bin Nassur, were by jemedar Syed Munsoor ordered to guard two kolies and a female, who were in the Sett's garden, and prevent them from holding intercourse with any one; and upon being thus ordered, we proceeded to the garden and mounted guard daily; and about eight or ten days after, about 10 o'clock at night, from Sett Hurree Bhugtee, a female, male, Baba Nafra and others came, and along with them they brought the boy and delivered him over to Dulleea, when the boy commenced crying very much; Dulleea and his wife upon seeing the boy's face recognized him; havildar Dadabhoy too at this time was present there, and said to Dulleea, "your son, whom I had brought, is returned to you, receive him back;" upon so saying, Dulleea replied, "the 100 rupees which you had given me I have expended, therefore from whence am I to procure and return it you, and with what am I to provide for the boy should I receive him back;" to this Dadabhoy said, "who demands the return of the money from you; your son you should receive back, and take care of;" and after the above conversation, Dulleea, his wife and Jorio, we four sepahees, by the Baba's order, escorted about midnight from Baroda to Amleeara, and *en route* the boy was alternately carried by Dulleea and his wife, and having arrived at the village entrance, we went to the village grain-yard, and having smoked, immediately returned to Baroda. Three or four days afterwards our jemedar Syed ordered that myself, Seedee Moobaruck, Hoosein Arab and Arab Moobarruck Nussa should proceed to Amlyara and keep guard upon Dulleea's wife and the boy, and prevent any person having access to them; and he informed me that such were the orders of Baba Sahib, and further that the house of Patel Kandass was vacant at Amleeara, where the woman and her son should be located under a guard; having thus been instructed we four sepahees came to Amlyara, and in the village grain-yard we saw Patel Ryejie, Mehta Hurjeevun and others seated, to whom we delivered our message, when they directed us to proceed to the house of the Patel, and that the boy would be brought there, whereupon we four sepahees with a bungeea entered the village, and near the village chowra the house of Patel Kandass is situated; we saw the boy and his mother on the upper story of the house, and we kept watch upon them; and Dulleea and his son were only permitted access to the woman and her child; Dulleea's wife used to cook for herself and also for the child, and milk used to be brought from her house which she used to feed the child with; we remained for about 2½ or three months guarding this boy, when the cholera broke out at this village, and in 15 or 20 days about 40 or 50 persons died from this epidemic; the boy was also taken, and commenced vomiting and purging from night until noon the next day, at which time he became quite exhausted and appeared to be dying; when I went to the village grain-yard and informed the Patel and Mehta that consequent upon the boy taking the cholera he was dying, therefore that they should send word to Baroda about the same; and upon my so informing them, they were coming to see the boy, and when they had reached the village the boy died; this was ascertained from the wailings of his parents; the Patel and Mehta upon this returned, and I remained watching the child's corpse, and about 7 o'clock, P. M., Mehta Hurgeevun came and said to me, that permission had been received from the Sett at Baroda for the burial of the boy's corpse, upon which I answered, that when I received instructions from my jemedar I would allow the corpse being buried, and not before; in the mean time jemedar Syed also arrived from Baroda, and said, that he had been ordered by Baba Nafra, the Shet's karbaree, that the corpse should be disposed of according to the usage of their caste; whereupon the jemedar and myself said to Dulleea, "according to the usage amongst your

your caste, dispose of the corpse;" upon which this Dulleea's brother (whose name I do not know), came and carried the corpse, and Dulleea wrapped cloth round a bamboo, and having dipped it in a seer of oil, which had been obtained from the Banian's shop, lit it, and us four sepahees, the jemedar Syed, and the two Tullavees, about nine o'clock at night, took the corpse from the village, and proceeded to the burial-place of the village, situated on the opposite side of the river, and having rested the corpse upon the ground, the two brothers excavated a hole with a pickaxe, and buried the corpse, and upon the grave thorn bushes were strewed; after which, the whole of us returned as far as the entrance to the village, when these two brothers proceeded to the tank to bathe, and we to our quarters at the house in the village; before our return, however, the Tullaveea's wife, Dhoodee, had gone away; we remained that night at this village, and early the next morning returned to Baroda. The above I have truly stated, and there is no difference in it.

(signed) *Arab Mahomed Doolee,*

by Mehta Hurjeevun Gowbunram.

You state above that the corpse being carried by Dulleea's brother, yourself, the rest of the sepahees, your jemedar and the two Tullaveeas proceeded to the burial-place on the opposite bank of the river, and that the corpse being placed upon the ground, the two brothers excavated a hole in which the corpse was buried, and thorn bushes were strewn upon the grave, after which, that you all returned; therefore, you are asked to point out the place where the hole had been excavated in which the corpse was buried?—The spot pointed out by me upon the bank of the river to Bappoo Myral Shastree and Trumbuck Shastree Munhore, who had questioned me at Amlyara upon this point, is the identical spot where the two brothers had excavated the hole in which the corpse had been buried and covered over with earth and thorn bushes. Dated and signed as above.

His × mark.

No. 56.

TRANSLATE of the Deposition of Nurbeyram Dullub; Religion, Hindoo; Caste, Bhatteya; aged about 66 years; Occupation, Domestic Concerns; Inhabitant of Baroda, residing in Bhatteya Sherree; taken at the Guicowar Durbar, on oath, on Post Sood 14th, Sumvut 1904 (19 January 1848).

Question. WHEN Dadameya, havildar of Amleeyara, had been incarcerated at the shop of Hurree Bhugtee, it would appear that Budrun Beebee sent a message by you, and if such was the case, you should state what was the motive* of this village and all the particulars that transpired when you went to deliver the same?—*Answer.* In the month of Fagun, and of Sumvut 1903, the day and date I do not recollect, but one day Budrun Beebee informed me that Dada Meya was confined at the shop of Hurree Bhugtee, and she requested that I should go there and tell Dada Meya to state truly all that transpired, and to obtain permission from the Sett, and get Dada Meya released; upon which I went to the house of Sett Hurree Bhugtee, and informed the karbarree Baba Nafra that Budrun Beebee had sent me to him to inquire the reason why Dada Meya, havildar, had been placed in confinement by him; when Baba replied, that if Dada Meya would truly state all the particulars about the boy, he would immediately be released from confinement; having heard this, I went to Dada Meya and advised him to disclose all he knew about the boy, and get released; and Dada Meya, after listening to what I said, consented; whereupon I caused him to be brought to Baba, and upon the Baba interrogating him about the boy, Dada Meya answered that he was induced to procure the boy from the Amleeyara Tullaveea for Joiteebaee Settanee, in consequence of being instructed to do so by Bhanabhaee and his wife, Lundbhaee; and that the 100 rupees which the above parties had given for the boy he had delivered to the Tullaveya, from whom the boy had been procured; this is what Dada Meya said; and Baba immediately took down in writing, and I attested the writing with my signature, after which Dada Meya was released from confinement, and permitted to return to his home. This is all that I know about the affair.

* *S. O.*

You state that Budrun Beebee had intrusted you with a message, therefore you are asked for what purpose you had gone to this woman's house?—I am in the constant habit of frequenting Budrun Beebee's house, because when she is in want of funds I procure it for her.

You state that Budrun Beebee had got you to go and get Dada Meya released from confinement, therefore you are asked whether this Budrun Beebee and Dada Meya are in any way related to each other?—From what I have heard from Budrun Beebee, I know that Dada Meya is related to her, but how related I do not know.

[The deposition this day read and explained to you, you are required to listen to, and state where and by whom it had been deposed to, and in whose handwriting is the signature of the attesting witness?—The deposition read and explained to me this day, I having listened to, declare that it is the same which in Fagoon Sumvut 1903 (1846–47) Dada

Meya,

Meya, havildar of Amleeyara, deposed to at Sett Hurree Bugtee's, and the signature of the attesting witness which it bears is in my handwriting.

(signed) *Nurbeyram Dullubdass.*

Witness,

(signed) *Turvuddee Runchorejee Vycuntjee.*
Sha Amurchund Moolchund.]

Note.—Nos. 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70 and 71, will be found in Appendix (F.)

No. 72.

TRANSLATE of the Deposition of Dada Vulluda Chotoo, Inhabitant of Baroda, residing opposite to the Mundier of Buldavejee; taken at the Durbar Sirkar, on Shrawn Vud 10th, Sumvut 1906 (1 September 1850).

Question. THE depositions given by you on the case of the son of Joetabaee Settanee, the widow of Paruck Bachurbaee Samuldass, on the 8th September 1848 (10 Bhadurwa Sud, Sumvut 1904) before this Siraud, and subsequently on the 31st July 1850 before the Residency, are both read and explained to you, and you are called upon to state, of these two, which is a true one?—*Answer.* Both the depositions having been read and explained to me, I beg to submit that both are mine; but the one taken from me at the Residency contains the transactions as they occurred, and is a true deposition, and the deposition given by me before this Sirkar is a false one.

In what year were you havildar at Amliara, and in the year you were so, who was the Mehta of the same village?—I was for about two years havildar at Amliara, and for the whole space I was havildar, Bachurbaee Samuldass's father-in-law (Joeetabaee Settanee's father) was Mehta of the village.

Did Bhanabhaee come to this village as Mehta before, together with, or after you had gone there as havildar?—For many years before I had gone there as havildar, Bhanabhaee was Mehta to the Amliara village.

During the time you were at Amliara, was the wife of Tulavyea Dulleya, in Sumvut 1903 (1847-48), was *enceinte*; state whether she was delivered of a son or daughter, and all the particulars which took place on the occasion?—Whether, in Sumvut 1900, the wife of Tullaveeya Dulleya was pregnant, or whether she had been delivered of a son or daughter, or what transpired upon this occasion, I am ignorant of.

When Dulleeya's son died, did he observe the necessary ceremonies upon occasions of deaths amongst his caste of people?—In this matter I know nothing.

Had you ever given this Dulleeya 100 rupees, and if you did, state where, and under what circumstances?—I never gave Dulleeya 100 rupees.

Is there in the vicinity of Dulleeya's house a wood-apple tree?—I have never seen it.

Tullaveeya Dulleeya being confronted with you, he stated that you had settled with him about taking his son, and paid him 100 rupees, and subsequently at night, that you had gone to his house by the backway, and having brought the boy away, laid him in a basket near the wood-apple tree, and took away with you; and you declare that you had not taken the Tullaveeya's son; therefore, how do you explain this?—It is true that Dulleeya, upon being confronted with me, states that I had given him money, and taken away his son; but it is false, for I had never taken his son, nor do I know anything about this matter.

In your deposition taken at the Residency, you have stated that you had been oppressed and tutored by the Baba, and made to depose falsely regarding the boy being brought from Amleeara; therefore you are called upon to state what witnesses you have to establish this fact, and who were all present on that occasion?—On the upper story of Hurree Bucktee's shop, Baba Nafra was seated, and I had been confined in the opposite house, where Nurbaram Batteea came and called me; at this time it was about 3 o'clock, P.M., and I accompanied Nurbaram to the kutchere, where Baba was; and at this time myself, Baba and Nurbaram were only present, and Baba said to me that I had brought a boy for the younger Settanee; when I replied that I had not done so, Baba rejoined that he had learnt that I had procured a Tullaveeyas son from Amliara, and inquired what I had to say to this; I answered it might be so, and related all the particulars of the boy being procured, which Baba with his own hands took down in writing; this is all that had transpired, and which having recollected, I now depose to.

Did Baba teach you to depose falsely about the bringing of the boy, or did you do so as you have explained above?—From where the Baba had imprisoned me, I was sent for by him, and as above detailed by me in the preceding answer, he said to me, "I have learnt that this boy is the son of a Tullaveeya, and agreeably to it you should depose," when being at the time in imprisonment, and fearing further imposition, I consented, and deposed to having procured the boy; but Baba did not directly in so many words ask me to depose falsely that I had procured the boy from Amleeara.

Tullaveeya Joria, upon being confronted with you, he declared in your presence that you had sworn him to secresy, and got him to carry the basket from the village to the wood-

apple tree, and from thence, you having placed your "bundee" jacket in the basket and the infant, you got him to carry it again; and having accompanied you with it the same night to the village of "Goreway," you there delivered the basket to the care of somebody, returned with him before day-break to Amleara, and for his trouble you had given him five rupees; and when you were bringing the child in the road, your copper drinking vessel had dropped in the Kotalee fields; this he also declares as a mark; but you deny having brought the child; therefore how is it?—It is true that Joria, upon being confronted with me, declares about his having carried the child; but I know nothing about it.

You state above, that Baba Nafra said that he had learnt that this boy had been procured and brought from a Tullaveeya at Amliara, and that having heard him say so, that you were intimidated and deposed falsely about the boy; but upon seeing the deposition you had given at first before the Sirkar, therein it appears that from the message delivered to you by Punnee, to the effect that Settanee Joitabaee had sent word to you to know from whence and whom you had procured this boy, and that you should acquaint you with all the particulars, and having stated as above, you took on oath upon the Koran, and declared that all the particulars deposed to above by you were the truth; therefore you are called upon to explain your former and present version of the occurrence?—The same or the day before this boy had been delivered to Dulleeya, Baba sent for and made me stand near the house occupied by the settanee, and from the upper story of the house Punnee spoke to me as follows: "From whence have you brought this boy?" and Baba directed me to make answer that I had procured it from a Tullaveeya; the above was enacted, and nothing further passed between myself and Punnee, and what conversation as above stated which was passed between myself and Punnee, Baba had directed; and this time myself, Baba and an Arab at a distance, and Punnee upstairs, were only present together; the name of the Arab and his person also I do not recollect; and besides us four, there were no other person present.

You state that Punnee interrogated you about the bringing of this boy by Baba's tutoring, and in the deposition given before the Sirkar you had stated that the Baba had given you 100 rupees, on which account you had procured and delivered the boy; and that subsequently to your doing so, that Punnee had gone inside, and having returned, she said, "The Settanee has directed that the boy be returned to the party from whom he had been procured;" thus you said that Punnee had said to you. What made you make the above statement; and further, you added that Baba Nafra had conversed with you upon this subject, in the presence of witnesses; and what makes you at present state that the Baba was above?—The day before my deposition was taken before the Sirkar, a peon had been sent to fetch me the same night from Goreeyod; therefore I attended at about 9 o'clock, A.M., at Baba's at Baroda; he received me at his * in the kutcherree at his own house, and having seated me near him, he directed me, when I should be questioned before the Sirkar, to state that I had brought the Tullaveeya's son, and that Punnee had interrogated me upon the subject; and that I should further add that I had informed Punnee that the boy belonged to a Tullaveeya, and that Punnee, after having informed Joitabaee Settanee, had returned and said to me that the Settanee had directed that I should return the boy to the parties from whom I had procured him; thus had I been tutored, and agreeably to which I had deposed; but no conversation really took place about the boy with Punnee.

* *S. O.*

The day before you gave your deposition, when Baba was tutoring you, who were all present, and besides what you have above stated, what else did the Baba instruct you to depose to you should unreservedly state?—When the above transpired, besides myself and the Baba no other person was present; and the Baba instructed me as to what I should say about the conversation with Punnee about this boy; and what further he tutored me to say, as you question me I shall declare to you.

The peon who had come to call you at Goreeyad, did he accompany you to the house of the Baba?—A peon and dharasunneeya had come to call me, and the same peon is at present in employ; but both he and the dharasunneeya who had come to call me, remained that night at Goreeyad, and I, by their advice, came away at once.

Are you in the habit of going upon village havildarship for 8 or 12 months?—So long as there is grain in the village grain-yard, I generally remain as havildar.

If you remained upon your duty so long as the kullee obtained, and your deposition was taken in Bhadurwa before the Sirkar, then how did you manage to go at the commencement of the rains?—I was sent in the month of Bhadurwa.

(signed) *Dada.*

No. 73.

TRANSLATION of a Deposition made by Bhotia Nurbheran Doolub, Resident of Baroda, on Shravun Vud 10th, St. 1906 (1 September 1850).

Question. IN the deposition you made at the Residency on 21 July 1850, in the case of Joitee Setanee's boy, you said that Baba forcibly extorted a statement from Dada Meea regarding the circumstances of the boy's being brought; state, in truth, what force was used by Baba towards Dada Meeah, what did Dada Meeah say, what was written by Baba, and who were then present?—*Answer.* As my neighbour Syed told me that Dada Havildar was confined by Baba, I went to the latter in Hurry Bhugtee's shop, and asked him the reason of his so doing? to which he replied, that he would not keep Dada in restraint if he tells

the

the truth, which I advised Dada to do rather than to suffer so much, when he consented to do so. I informed of it to Baba, and took Dada to him, who began taking Dada's statement, and as they both had then made me sit at a distance, I only saw them speaking, but I do not know what conversation were held between them. No force was used upon Dada at the time; everything was written as he stated; when the statement was finished, they called me and made me attest it. I do not know the full particulars written in it, but when I advised Dada to tell the truth, he confessed the fact of the boy being brought before I took him to Baba; but I did not ask the whole particulars.

You now state that Dada confessed the fact, and that as you were not near where the statement was made, you do not know the particulars of it, whereas at the Residency you deposed that Dada was not acquainted with the circumstances of the boy being brought, and his statement was forcibly extorted by Baba; state how did you make the former statement?—When I first heard from my neighbour, I went to Dada Havildar, and when he admitted the fact of his having promised to procure a boy from Amlyara for 130 rupees, I took him to Baba, where he also made the same confession; but I was not present when he stated the whole particulars of the case at the Residency. I stated everything as I now do, but I do not know how it was written.

No. 74.

TRANSLATE of the Deposition of Tullayea Dulleeya Banna, Inhabitant of the Village of Amleeara; taken before the Guicowar Sirkar, on Shrawun Vud 2d, Saturday, Sumvut 1906 (24 August 1850).

Question. THE deposition given by you in the case of Joetee Baee Settanee, the widow of Parick Betchurbhaee Samuldass' son, before the Sirkar, on Bhadurwa Sood 12, Sumvut 1904 (10 September 1848), and before the Resident on the 10th July 1850, are both shown to you, and you are called upon to state which of the two contains the truth?—*Answer.* Both of the above depositions have been read and explained to me, and I beg to submit, that when the first deposition have been taken from me before the Sirkar, the Sirkar's kamdars cautioned me to speak the truth, and after I had sworn by the "Guddee," I faithfully recounted all the particulars which had transpired, and the deposition I then made is a true one; but subsequently, when my deposition had been taken before the Resident, Lulloo Bhugwan intimidated me, and he said, "Dada Meya is gone to Bombay; therefore if you say that the boy was your son, and that he died, you will be put in irons; and many persons have in the same manner been imprisoned." Thus did he intimidate me; and when my deposition was being taken, the karkoon only questioned me from the time the child had been returned to me by Baba Nafra at Baroda, and I accordingly deposed to the particulars which had transpired subsequently to that event, and when I attempted to relate anything about the boy being my son, &c., the karkoon prevented me by saying that there was no necessity for my mentioning anything further than what transpired after the boy had been returned to me; consequently I only replied to the questions put to me; and even then Lulloo Bhugwan caused a changed version of what I stated to be set down in my deposition, and, from former and subsequent threats, I remained from fear silent, whilst he caused such changes to be made in my deposition in my presence; but on the same day [in which I had given in my deposition, brought the above circumstances to the knowledge of the Sirkar.

In your former deposition, you have stated that you gave your son to Dada Meya Havildar; therefore you are called upon to state when your wife's accouchement took place, and the circumstances under which you delivered the boy to Dada Meya?—The year in which my wife was *enceinte*, Dada Meya Havildar was stated at our village, but I do not recollect what year it was, but it was some four or five years ago; the day after her parturition Dada Meya came to my home, and inquired of me whether my wife was delivered of a male or female child; I informed him that she had been delivered of a boy; upon this he went away, and the next day he sent for me to him in the village grain-yard, and having seated me near him, he said, "If you give me your son to rear I shall give you 100 rupees." I informed him that I would not give him my son; upon which he commenced persuading me in various ways, and said to me, "If I keep your son he will be well off,] therefore you had better give him to me." Upon this I informed him that I would give him a decided answer after having consulted with my wife; and I left him, and returned to my home. I informed my wife of the proposition made me by Dada Meeya, and the same evening, having gone to the fields, I met Dada Meeya, and informed him that I would let him have my son. The next day Dada Meya mounted his mare and came to Baroda; he, however, before leaving, informed me that he was going to Baroda, and made me promise to meet him upon his return at a wood apple-tree which grew on the road to Baroda; but at this time he did not inform me for what purpose he wanted to meet me there. In the afternoon I went, and waited for him at the appointed place, and Dada Meya in his return met me there, and having dismounted, he counted out and gave to me 100 rupees, and when I had received the money, he informed me that it was on account of my son. The next night, at about 10 o'clock, after the villagers had retired to rest, Dada Meya Havildar came to my house through the back yard, when I took my son there, about four or five days old, from my wife, and accompanied the havildar as far as the wood apple-tree, which is situated behind my yard, and beyond the limits of the village, and Dada

Meya having provided a basket, I laid the child in it, and Dada Meya having dismissed me I returned to my home, and the havildar took the child away to his house. About a year or a year and a half from this time I was sent for to Baroda, where Baba Nafra returned my child to me, with whom I returned to my village, and after my arrival, I, together with the boy, were seated in Patell Kandass' house under a guard, and at this place the boy subsequently took the cholera, and died. This is all that I know about the affair.

Was the confinement of your wife known generally amongst the villagers, and when the boy was returned to you what did they say?—That my wife was *enceinte* was well known to the villagers, and that she had been subsequently delivered equally as well, but when I delivered the boy to Dada Meya Havildar, I concocted a story that the boy had died, and having gone to the burial-place and come back, I bathed myself, and the next morning the story was published all over the village, and for days after this I observed the usual ceremonies consequent upon a death occurring amongst the people of our caste.

How many children had you by your wife; what number are at present alive, and how many had she before, and how many after the birth of the boy referred to?—My wife was first delivered of a daughter, who is at present alive, and about 18 or 20 years old; her next was a boy who is dead; after this she had three sons who are all alive; after these three she was brought to bed of the boy who had been delivered to Dada Meya; about a month and a half or two after this, she became again pregnant; and in due time delivered of a son, who I had brought with me on the first occasion of my appearing before the Sirkar to give my deposition; since, she has had another son; these two, together with the three before, make five sons and one daughter, who are all at present alive.

What are the names of your children who are alive at present?—My daughter is named Seevelee; my eldest son Jeevlo, and the others Maneeys and Kaneeys; and sons born after the one who had been delivered to Dada Meya Havildar are young; consequently have not yet been named.

The boy returned to you by Baba, was he the same whom you had previously delivered to Dada Meya?—When I delivered my son to Dada Meya he was quite an infant, and not more than four or five days old; and Baba delivered the boy to me about 13 or 16 months afterwards; in the meantime, from the care taken of him, his colour only had become changed, so that another not could have recognised him, but my son's ears were sevela (stitched), and from this myself and wife recognised him.

In your former deposition given before the Sirkar, you stated that your son was two months old when you gave him Dada Meya Havildar; and in your present deposition you depose that he was only four or five days old; which of the above two stories should be considered as the truth?—The infant was four or five days old when delivered to Dada Meya; this is the truth; and in the former deposition, either from a clerical error or from a mistake on my part, it was stated that the boy was two months old when so delivered, but what was the truth I have deposed to, and this is a true deposition.

(signed) *Tullea Dulleea Banna*,
by Patell Nurrotum Narrandass.

No. 75.

TRANSLATE of the Deposition of Doodhee, Woman, Wife of Tullaveeya Dulleeya Banna, Inhabitant of Amleeara, Purgunna Baroda; taken before the Gaekwar Sirkar, on Shrawun Vud 9th, Sumvut 1906 (31 August 1850).

Question. THE depositions given by you in the case of Joiteebaee, the widow of Bechurbhaee Samuldass' son, formerly, on the 13th Bhadurwa Sood St. 1904, before this Sirkar, and subsequently on the same subject, on the 20th July 1850, at the Residency, are both read to you, and you are requested to state which of the two contains the truth?—*Answer.* Both the depositions having been read over to me, I beg to state that about four years ago, the day and date I do not recollect, but I being *enceinte* gave birth to a son, and when the boy was about four or five days old, Dada Havildar of our village took him away to rear him, and recompensed myself and my husband with 100 rupees; after which, about a year and a quarter or two, Baba Nafra, having sent for both myself and my husband, returned the boy to us; and we returned with him to our village, and when we arrived, we together with the boy were located in the house of Khandass Patel, and there the boy took the cholera and died, and the above particulars I faithfully deposed to in my first deposition, taken before the Sirkar; but recently, myself and my husband, &c., were called at the Residency, and after having taken my husband's deposition, I was called; there were two Banians, or some other caste persons present, and they interrogated me about this boy, when I began recounting the above particulars; when the above two persons who were there present, commenced saying, "according to what your husband has deposed to, we will cause your deposition to be written." To this I gave my consent, after which they wrote what they pleased, and commenced reading and explaining the same to me, and when I protested against what was therein inserted, they commenced saying, "agreeably to what your husband had deposed to, it is in this your deposition recorded;" and being a female, when the same was read before the Sahib, I offered no objection; but what I have stated is the true particulars, and agreeably to the same I in the first instance deposed to before the Sirkar.

What

What arrangements were entered into with Dada Meeya, and through whom were they made, regarding this boy?—The day on which I was delivered of this boy, Dada came to my house, and settled with my husband about allowing him to rear the boy; thus, after arranging, he went away, and my husband informed me of the same; and, subsequently, at the wood-apple tree, on the Baroda road, he met my husband, and gave him 100 rupees, which my husband brought home and informed me that Dada had given him 100 rupees, and wanted the child to rear, and that he intended to make the boy over to him; and the next night Dada Havildar came to my house by the back-yard, and took the child away, and my husband carried the boy inside*; I was at this time in my house. * *S. O.*

If this boy was your son, when you were pregnant did the villagers see you in such a state, and if so, when the boy was taken away by the Havildar, what did the villagers say, and did any one amongst them inquire what had become of your son?—When I was *enceinte* with this boy, I used to go about, and the villagers must have witnessed my state, and at the time of my parturition it was made known to the whole village, but the same night on which Dada Havildar took the boy away, both myself and husband informed the villagers that the boy had died, and being but an infant, my husband had buried him; and agreeably to the usage amongst our caste, the ceremonies of the fourth day were observed.

In the deposition made by you formerly before this Sirkar, you have stated that the particulars deposed to by you on that occasion was the truth, and in this deposition you had stated, that "after the child was two months old he had been given to Dada Meeya," and in your present deposition you state that "the child was five days old when delivered over to Dada Meeya Havildar," therefore you are asked to state, of these two statements, which is true?—After my delivery, when the boy was five days old, he was taken away by Dada Meeya Havildar; this is the truth, and was known to the villagers also; and how it was that in my former deposition I had stated that the boy was two months old I do not know.

From what mark were you enabled to identify the child returned to you by Baba Nafra as the same whom you had formerly delivered to Dada Havildar?—I was enabled to identify the boy returned to me by Baba Nafra as my son, whom I had formerly delivered to Dada Havildar, by the boy's ears being stitched.

(signed) *Doodhee* Woman, her × mark.

No. 76.

TRANSLATION of the Deposition of Ryejee Beechur, Patel, Inhabitant of Amlyara, Purgunna Baroda; taken before the Gaekwar Sirkar, on Shrawun Vud 2d, St. 1906 (24 August 1850).

[*Question.* THE depositions given by you in the case of Joitee Baee Setanee, widow of Bechur Bhaee Sumuldass, before the Gaekwar Sirkar, on the 13th Bhadurwa Sood, St. 1904, 11th September 1848, and before the Resident on the 16th July 1850, are both read and explained to you, and you are required to state whose child he was, whom, in the above depositions, you have stated was given to Dhulleea, and with whom Dhulleea returned to Amlyara, and all the particulars regarding this boy that you may be aware of?—When Dhulleea came to Amlyara with the boy, who had been returned to him, I inquired, and Dullea informed me that his son, whom he had given away at Baroda, had been returned to him; this is what he said; but however to whom the boy was given, and by whom taken away, at the time it had not come to my knowledge, and neither do I know anything about it; after the child had been brought to Amleeara the above rumour was circulated, when I also learnt of it.

When Dulleea had brought this child, how old was it, and did you and the villagers know that the wife of Dulleea was before pregnant, and delivered of a son, or how?—The child brought by Dulleea was about 15 or 18 months old, and about 15 or 16 months before this it was known in the village that the boy delivered by the wife of Dulleea had died of convulsions; but I did not witness with my own eyes whether the wife of Dulleea had been *enceinte* or otherwise, because my house is situated at a distance from that of Dulleea's.

You state that you knew not whether this woman was *enceinte* or otherwise, but that you had learnt that the boy had died, therefore how did you believe about the boy's death?—When the child's "chowthea" was observed, all the Tullaveeas children had gone to Dulleea's house to dine, from which circumstance it had come to my knowledge that Dulleea's wife had given birth to a male child who had died of convulsions, and therefore the "chowteeya" ceremonies were being observed; this I learnt from the parties who had gone there to dine.

In the deposition given before the Sirkar, you stated that "when Dulleea had returned to the village with the boy he resided in his hut, and whilst there he complained of being very uncomfortable, and was weeping; whereupon I spoke on his behalf to Bhugwan Mujmoodar, when it was arranged that the house of Kandass should be made over to him, and a guard of Arabs placed over the boy, and at which place the boy died," &c.; and recently in your deposition before the Resident, you have stated that a few days after Dulleea had returned to the village with the boy, a party of Arabs from Baroda followed him there, and the Arabs having desired that a distinct place should be pointed out for the

residence of the boy, the Patel Kandass' house was made over to them, and that in it the boy was located, &c., therefore you are asked to declare, of the above two statements which is the true one]?—When Dulleea returned with the boy to the village, he took the boy to his hut, and as the boy had become used to a large house, the child appeared to be uncomfortable in the hut, and was continually weeping; at the time I had come to Baroda and made the above known to Bhugwan Mujmoodur, who upon hearing of it inquired of me whether any suitable house in the village was vacant; and I mentioned to him the house of Kandass Patel, and for the purpose of locating the child in it, he sent Arabs; this is the truth; but in the deposition given recently before the Resident, I may not have made the above known from want of recollection, as three or four years have elapsed since the occurrence; but what I have above stated is the truth, having, upon being at present questioned by the Sirkar, recalled the whole of the facts to my recollection before doing so.

Both the depositions given by you are read and explained to you, and you are requested to declare whether the whole of the facts contained in them be true or otherwise?—Both the depositions being read and explained to me, and having at present rectified the errors which obtained in the one given before the Resident, declare that both depositions now contain nothing else but the truth.

(signed) *Ryejee Bechur*, in the handwriting of Nurrotum Narronjee.

No. 77.

TRANSLATION of a Deposition made by Boreeah Patell Nurrotum Narraeen, Resident of Amlyara Village, Purgunnah Baroda, on Shravun Vud 2d, St. 1906 (Saturday, 24 August 1850).

[*Question.* IN the statements you made at the Durbar on Bhadwura Sood 13th, St. 1904, (11th September 1848), and at the Residency on the 16th July 1850, in the case of the boy of Joitee Settanee, widow of the late Bechur Samul, you alleged that a boy was given to Tullaveea Dulleea of your village, from Baroda: state by whom and for what purpose the boy was given?—*Answer.* I do not know that, when and in what manner the boy was given to Dulleea, only when Dulleea returned to the village with the boy from Baroda, every thing became known to the people, and I related to the Sirkar all that came to my notice afterwards.

As Tullaveea Dulleea belongs to the village of which you are a patel, state how many children he has got, and do you know whether Dulleea's wife was pregnant, or whether she had a sucking boy prior to the commencement of the proceedings in the case of Joitee Setanee's boy; if so, how long before?—Dulleea has got about two or three sons and two daughters alive; these I have seen, and about one or two of his children are dead. I and all others saw Dulleea's wife pregnant 1½ or 1¾ year before the boy was returned to Dulleea from Joitee Setanee, but the child of that pregnancy was not however seen after its being born; it was rumoured by Dulleea and his wife in the village, that the child was dead of futwa (measles), for which they performed the usual death ceremony. It was not seen dead] by anybody when the boy was brought back by Dulleea; in the village it was heard that it was the same child which was said to have been dead and given to Joitee Setanee; the boy was then about 1½ or 1¾ year old.

No. 78.

TRANSLATION of the Deposition of Woman Panee; Caste, Veesa Seemalee Bannian; Inhabitant of Baroda; aged about 50 years; Occupation, Domestic Affairs; taken at the Guicowar Sirkar on the 2d Bhadurwa Sood, St. 1906 (8 September 1850).

I WAS employed by Joitabaee Settanee, and Joitabaee Settanee, for the purpose of being delivered, left the Settjee's shop, and went to her father's house, and I accompanied her; after the Settanee's arrival at her father's, she seated herself in one of the rooms, and sent me to fetch some ashes, upon which I went down stairs, when I learnt that the Settanee had been delivered of a son, and after this I remained with the Settanee for 14 days, and used to bathe her, and also used to place the infant in the Settanee's lap, but I never saw the Settanee suckling the child; after this, the Amleeara people came to demand the child, and a deal of disturbance took place; the boy at the time was at the house of the Settanee's parents, the Settanee having removed to the Settjee's house, and in the meantime desired me to call the Baba to her, upon which I went and brought him to the Settanee, when the Settanee informed the Baba that this boy was not her son, upon which the Baba advised her to send for the boy and have him restored to his father; the Settanee to this replied that she would do so provided he would pass a paper settling upon her father a stipend of 200 rupees annually, to be paid by the Dasye, which the Baba promised to do the following day, where upon the Settanee sent Gunga for to bring the boy; who all accompanied her I at present do not recollect. Gunga returned with the boy, who, however, without the Settanee being permitted to see, the Baba sent and located in the outer room of the "Deo Mundeer," and

and after doing so, returned to his home. The next morning Baba came to Joitabaee, and Joitabaee informed him that the boy was not her son, when the Baba replied, "You are my mother; what had been destined has come to pass, and after saying so he went away, and in the evening he returned to the Settanee and informed her that he should find out from Dada to whom the boy belonged, and have him restored; the Settanee answered that she would not do so herself, and immediately sent me to Dada Havildar. I went and said to him, "Upon the oath of your roja, Peer and God, you are required to restore the boy you procured to his parents." Upon my saying so, Dada agreed to return the boy to his parents; this I returned and communicated to the Settanee, which the Settanee having heard, remained silent; afterwards the boy was taken away by his nurse Kooshallee; this is all that I know.

Question. Did the Settanee send word to Dada Havildar that he should take away and deliver the boy to his parents?—*Answer.* I do not recollect whether she had done so.

When did the Settanee learn of the boy having been taken away?—The boy being conveyed away before her face, she at the time became aware of it.

When the boy was being taken away before the Settanee's face, did the Settanee weep, appear sad or say anything?—Tears started in my eyes, and in those of the Settanee's also.

Did you shed tears because you knew that the boy was the Settanee's child, and about to be conveyed away from her, or because the boy was the son of the Amleeara Kolee and about to be restored to his father?—The boy being about to be conveyed away from us induced me to shed tears, but as to the boy being the real son of the Settanee, or otherwise, the Settanee and Dada Havildar should know better.

Eight or 15 days after the boy had been conveyed away, did the Settanee mourn for his presence and complain that her son had been taken away from her?—I do not recollect whether she did so or not.

When you had gone and given Dada Meya oaths [were there any other person present besides yourself and Dada?—Myself, Data and Bhugwan Mujmoodar were only present.

After the death of the Settjee, the supplies and clothes, &c. which were furnished to the Settanee, did the Baba after the dispute about this boy decrease their allowance?—The supplies, clothes, &c. were continued to the Settanee us usual, and the Baba did not cause anything to be lessened, but the doors and windows were caused by him to be locked up and fastened.

Why were doors and windows locked up and fastened?—I do not know.

You state above, that when the Settanee had removed to her father's, that you also accompanied her, therefore you are asked whether the Settanee had so removed in consequence of suffering from pain, or did she go there to meet any body, or merely on a visit of pleasure?—She said that she was ailing.

After the death of the Sett did you continue in the service of Joitabaee Settanee?]—Yes.

What were the nature of your duties; were you employed to bathe, feed or entertain her with your conversation?—In consequence of food touched by me not being permitted her to use, I used not to feed her, but I used to bathe and accompany her when she used to go down stairs to weep for her husband. I used also to sweep the house and attend upon her.

You state that you used to assist in bathing her, therefore you are required to state whether after the death of the Sett, the Settanee's stomach appeared big as if she were with child?—I used to prepare the water and go away, therefore I had no opportunity of judging.

When the Settanee used to go up and down the stairs from her gate did she appear to be *enceinte?*—I had become widowed when very young, therefore I am no judge of a woman being pregnant or otherwise.

During the lifetime of the Sett, as the Settanee used to sit, did she continue to do so two or three months after his death, or did she sit with her legs stretched out as a pregnant woman would do, and did her stomach also appear enlarged?—The Settanee used to remain in her room, therefore I had no opportunity of judging.

Did you ever hear the Settanee say to anybody that she was pregnant, and that her time was approaching near?—Is it likely that she would do so before an old woman like me? There is no difference in what I have above deposed to.

You have stated above, that you used to accompany the Settanee when she used to go down stairs to weep; and in another place you say, that because the Settanee used to be always in her room, you had no opportunity of judging whether she was pregnant or otherwise; therefore you are asked to explain these discrepancies?—I know nothing about this matter; I further beg to submit, that Joitabaee informed Baba that the boy was not her son, and that a stipend of 200 rupees yearly should be secured to her father, &c.; this, as I have above stated, transpired when the Settanee passed a "leckh" to Baba.

You have stated above, that the Settanee had gone to her father's for the purpose of being delivered, therefore you are required to state whether the Settanee was really pregnant, or how?—Publicly, everybody used to say that she was pregnant, but what really was the case, God alone knows.

There is no difference in what I have above deposed to.

(signed) *Panee*, in the hand writing of Deo Row.

No. 79.

TRANSLATE of the Deposition of Ghunga, Woman; Daughter of Hunmunt Row; Inhabitant of Baroda; aged about 30 years; Occupation, Service, and in the employ of Hurreebucktee; Caste, Marrahtun; taken at the Durbar, on the 3d Bhadurwa Sood, S. 1906 (9 September 1850).

Question. WHEN the son of Joutabaee Settanee was at her father's house, and the Settanee at Hurreebucktee's, the Amleeara people had come and commenced disputing about the child, and Dadameeya was also brought to the firm; at this time did the Settanee Joutabaee send you to her parents for the purpose of bringing away her son; and you are required to state whether you had gone upon this business or otherwise?—*Answer.* No, I was not ordered to do so by the Settanee, but Seetaram Jemadar and Bhugwan Mujmoodar asked me to accompany them to bring away the child; thereupon I went to the house of the Settanee's parents, but Bhannabhaee refused to let us have the child, and the child and his nurse was placed in a room; afterwards Bhugwan and Seetaram desired me to say that I had been sent by Baba and the Settanee for the child, I said as they had instructed me; but Bhannabhee would not let me have the child; then a blacksmith was called and the door of the room broke open and the boy taken out, and by force conveyed to the firm.

Did you mention to the Settanee Joutabaee of the child being brought away, and the force used in doing so; and what did the Settanee do upon hearing it?—She commenced weeping and beat her breast, and abused the Baba.

Dated Bhadurwa Sood 3d, S. 1906.

(signed) *Ghungee*, in the handwriting of Deoram.

No. 80.

TRANSLATE of the Deposition of Seetaram Gopalsing; Caste, Purdasee Poorbeya; Inhabitant of the Poorub; Occupation, Service; aged about 35 years; in the employ of Hurry Bhugtee, as a Jemedar; taken upon oath, at the Durbar, on the 2d Bhadurwa Sood, 2d St. 1906, (A.D. 8 September 1850).

Question. WERE your men and sepais placed as guards upon Joitabaee Settanee after the death of the Sett?—*Answer.* Yes, they were.

Was the Settanee's son under your surveillance till he was given over to the Amleeara people?—Yes, with the exception of a short time, after which he was again placed under my charge.

When the Settanee was accouched, were your men placed as guards upon her, or were the guard removed before?—They had been removed before her accouchement.

Do you know anything about the interchange of lecks between the Settanee and Baba regarding this child, and if you do, you are required to declare all the particulars of which you may be aware of?—It is true that I have heard about it, but know nothing positive regarding these writings.

When the dispute was going on about the child, did you ever see the Settanee and Baba seated near each other?—Yes, I did.

Was the Baba alone seated near the Settanee, or were any other person seated with them upon this occasion?—I do not recollect whether the Goomashta was seated with them or not.

The Baba and Settanee being seated together, did you observe the Baba reading any paper to the Settanee?—It is true that I have heard about it, but I did not see them reading or writing any paper.

From whom then did you hear about it?—Everybody was speaking about it, but I cannot name any particular individual from whom I heard it.

Where were you when the child was taken at night and given to the Amleeara people?—I was asleep at the great guard-room of the firm.

At the time the child was being conveyed away, did the Settanee make any loud lamentations; did you hear it yourself, or hear about it from any other person?—No; I neither heard it myself or from any other body.

Did you go to the Settanee the same night, or the next, or third day after the child was given away, or did you see the Settanee's face, or had you any conversation with the people about the Settanee?—My guards are not placed there, and neither did I go there.

Were you present when the child was given to the Amleeara people?—Yes, I was.

When the child was delivered to the Tullaveea, were you near or at a distance?—I was near.

Did either the Tullaveea, or his wife, say anything when receiving the child?—The Tullaveea took the child, but said nothing.

Where was Baba at this time?—He was near where the child was being delivered to the Tullaveea.

Did the Baba say anything to the Tullaveea, or *vice versâ*, and if any conversation passed you are required to mention it?—At the time of delivering the boy, Baba said to the Tullaveea, "Have you received the child?" and the Tullaveea replied, "Yes, I have received him;" this is all that I heard, and the child's ornaments Bhugwan Bowaneedass had with him.

Upon

Upon giving the boy to the Tullaveea, did the Baba give them anything, or *vice versâ* ?—I do not know, having come away.

When you left, was the Baba there seated, or did he also come away with you ?—Baba left before me ; afterwards I followed him.

There is no difference in what I have deposed above.

(signed) *Jemedar Seetaram Gopalsing*, in the handwriting of Deoram.

No. 81.

TRANSLATION of the Statement made by Joitabaee, second Widow of the late Betchur Samul, on Kartick Sood 14th, Sumvut 1904 (21 November 1847), before Shastrees Trimbuck Munohur and Bappoo Myral.

(Deposition recorded by the Shastrees, regarding which Joitabhaee formally complained to the Resident in yad, dated , that they had written down what she did not say: some of the misrepresentations which she pointed out when examined by the medical committee are written on the margin.)

Question. STATE in truth who and what sort of oppressions were used towards you regarding your son ?—*Answer.* I have to represent the same what has been stated by my father Bhana Bhaee Kandass, in the statement he made before the Sirkar yesterday.

What was the period of your pregnancy when your husband died, and how were you treated by Mahluxmeebaee after his death ?—I was conceived of four months prior to my husband's death, after which [I and * Mahluxmeebaee having lived and made our meals together in one room, she might have perceived my pregnancy ; Baba Nafra also knew it, and while lamenting, I had made this fact known to the women of my and other castes.

* Commencement of substitution.

You have said that on the night of Magsurvud 8th of Sumvut 1902, you having felt unwell, went to your parent's house by Mahluxmeebaee's permission ; state whom did you send to ask for the permission, and what answer did she give ?—On becoming unwell I had sent a servant to ask Mahluxmeebaee's permission, but it being a story of many days I do not recollect what servant it was; as I was getting worse I went away in a palunqueen before hearing her answer.

A. D. 22d Dec. 1845, remarks by Joiteebaee Settanee when this deposition was read to her by the medical committee. I sent an Hurkarra, but no answer was received.

What time, after reaching home, were you delivered of the son, and what women and midwife were there at the time ?—It was about midnight when the boy was born, but what women and midwife were there then I do not know, because I was not well.

I gave the names of all the women.

(signed) *Joitabaee Settanee*, by Bhonabhy.] †
Kartick Vud 2d, 24th November 1847.

† Termination.

Question. On Kartick Sood 14th of Sumvut 1904, 21st November 1847, you stated in answer to a question that your statement was the same as that made by your father before the Sirkar, is it so ?—*Answer.* My answers are the same as those made by my father, Bhannabhaee, yesterday, before the Sirkar, which he read over to me to-day.

Prior to his death how long did Becher Samul suffer indisposition ; what was his disease, and what doctor's medicine did he (the deceased) take ?—About a year or a year and a half before his death he lingered, but then he was *not* very ill ; for the last one month he suffered too much of dyspepsy and weakness, and once he had become insensible ; he took medicine from Hurjeewun Vyeed ; Moteeram Vyeed was also coming.

I never mentioned any thing about his being ill for a year or a year and a half.

Where did you bring forth the boy ; whether down-stairs or up-stairs of your parent's house ?—The boy was brought forth in a room up-stairs.

What midwife did attend you at the time of throe, and what was paid to her ?—She might have been paid by my mother, whatever might have been the custom, so she must know that she never asked me anything about it.

I mentioned midwife Jumna's name.

On Magsur Vud 8th of Sumvut 1903, A. D. 11th December 1846, when you went to your parent's house for the delivery, what men and women of the Sett's house did accompany you ?—Servant Hurkha and Punee Wannian of the Sett's house had come with me, and others might have come too, but I do not recollect them.

On the next day of your confinement Baba Nafra's wife came to inquire after your health at your parent's house; state what inquiries did she make ?—She made me suckle the boy in her presence, and saw the boy's face, but not the " nal," navel-string, for it was cut off on the very night the boy was born.

I mentioned nothing about the " nal."

Did you suckle the boy yourself, or employ a woman to nurse him ?—I suckled the boy for about a month and a quarter, after which, I having fallen sick, Gunga Murratnee was employed to nurse the boy, but on her having no milk, Khooshallee was employed.

You have stated that you were pregnant about four months anterior to Bechurbhaee's death ; state whether you had informed your husband Bechurbhaee of your pregnancy ?—I did inform him of it about 10 or 15 days before he died, but nobody else was then there.

I said five or five-and-a-half months.

I never mentioned 10 or 15 days.

Did your husband speak to anybody about making the " Rakhree " ceremony, which is usual among your caste people to do at the stage of five months' pregnancy ?—When the Sett died, I was not five months pregnant, so the Rakhree was not tied, and after his death it was not usual to tie.

I did not reply so.

Prior to Bechur Samul's death, when he made arrangements about the firm and house affairs, did you ask him to make any provision about your anticipated boy or girl ?—Nothing

was said or written on this point when writings were passed regarding the house affairs, and I do not know if the deceased spoke anything to Baba Nafra about it.

Prior to the Sett's death was his son Pursotum Bhaee Sett in your lap, and if so, what had then happened?—One month or 15 days before the Sett's death, while Mahluxmeebaee, her father, Wujoobaee, my father, Bhanabhaee, Baba Nafra and I were near Sett's bed in a room down-stairs, Purshotum Bhaee was placed on my lap merely to reconcile me, but what was then said I do not know.

On the day the boy was placed in your lap, did you hear Sett's telling Baba Nafra to credit one lack rupees in your name in the firm accounts?—Nobody has told me this, nor have I heard it.

When the Sett granted you one lack rupees, did you tell Motteeram Vyeed to speak to the Sett on your behalf, so as to assign something more?—No.

I never had any "choonk" or pain in the stomach, nor took any medicine. I mentioned seven or eight days.

On the day Sett died had you any pain in the stomach, "choonk"?—When the Sett became insensible and was removed into another house, I had a griping, of which I got well by taking some pills and essence of "ujma"; bishop's weed seeds.

Had you your monthly course seven or eight days before the Sett's death?—Yes, I had my menses seven or eight days before; notwithstanding I was in the family way I had it every month; but it is customary among the women to reckon the months of pregnancy from the first day of being conceived, although the menses might have intervened.

This statement has been made in our presence,

(signed) *Trimbuck Munhore Shastree.*
Bappoo Myral Shastree.

No. 82.

TRANSLATION of the Deposition of Bhanabhaee Khandass; Religion, Hindoo; Caste, Veesulad Bannian; aged about 45 years; Occupation, Goomasta; Inhabitant of Baroda; Father-in-Law to the late Parruck Behchur Samalbhaee; taken upon oath at the Durbar on Karticsood, 13th Vud, 1st and 2d Sumvut 1904, (20, 23 and 24 November 1847).

Question. REGARDING the son of Joiteebaee Moteelall, the nature of the oppressions you have been subjected to, you are required to particularise?—*Answer.* On the day on which Sett Behchurbhaee died, my daughter Joiteebaee informed both the elder Settanee Mata Luximeebaee and Baba Nafra that she was *enceinte*, and from that day, for one month following, the elder Settanee occupied the same room with my daughter Joiteebaee, and instituted such inquiries usual amongst females, to ascertain the truth or otherwise of my daughter's declaration with reference to her condition, and subsequently my daughter Joiteebaee continued residing in the same house with her elder rival, but in a separate room, situated on the ground-floor; and about two and a half months after doing so, on Magsur Vud 8th, 1902, (22d December 1845), my daughter's health becoming worse, she having apprised her elder rival of her intentions about 9 or 10 o'clock at night, she came to my house, and about after midnight of the same she was delivered of a son, immediately upon which word was sent to the Sett's house of the joyful occurrence, and the next morning to the Baba's house also; upon which the Baba's wife having called upon the elder Settanee and having obtained her permission, came to my house to see the new-born infant, and she made such investigations as are usual amongst females to do, to satisfy herself of my daughter having been actually accouched; after which she went, and having informed the elder Settanee and the Baba about the result of her investigation, she returned to her home, and Baba upon this, apprised the Sirkar of the same, and upon the sixth day after my daughter's accouchement, Baba Nafra's son brought the whole of the Goomastas of the firm, and performed the "Chettee Pooja" and the "Barsa" at my house, and afterwards the Sirkar was invited to the firm, where the Sirkar attended; and on this day the infant Moteelall was affianced to the daughter of Nurrotum Mottallee, and a short time after the infant Moteelal having recovered from small-pox, he was taken for the purpose of being prostrated before the idol at Pore Verna, and upon this occasion about 50 or 60 Goomastas and others accompanied the boy there. We left this about seven o'clock a.m., and returned the same evening, and afterwards in the month of Bhadurwa, on the "Notee Novum," the caste were feasted, and a short time after the above, Baba took myself and my daughter aside, and informed us that he had some business in view, and that if he obtained our permission he would execute it; to this we replied, that as the Sett had but recently died, and both his sons are young, nothing could be done, and we informed him also, that the Moonim, whom he had succeeded (upon the death of Samulbhaee, and the assumption by Behchurbhaee of the Gaddee), never done anything till 20 years after the death of the said Sett Samulbhaee, and even then when he did anything he consulted with the whole of the members of the family previously to his doing so; therefore, that the business he was talking about could not then be done; but after the boys become older, if found to be advantageous, it would be done; from that day Baba commenced entertaining malice against us, and he deprived me of the business I used to do in the villages, and for Nurbaram Deysaee, and after having deprived me of the above work for about two months, he was desirous of my reassuming the same, and he sent for and requested me to sanction the measures he had spoken to me about formerly, and that I should assume the duties he had deprived me of. I did not, however, consent to his propositions. And a short time after the above, he sent for Lulloo Bhugwan, a Goomasta in the Sett's firm, and conspired with him to get up a plot against this

this boy, and this Lulloo Bhugwan, the Baba furnished with a sum of money from his private funds, and under the plea of sending him to the "Hoondeeya Mahadeo," despatched him from Baroda; this individual, however, went into the Sowlee Purgunah, and put up at the house of Lallbhaee Deysaee; procured the assistance of intriguers, which upon becoming known all over the Sowlee Purgunah, they informed the Nowab Sahib of the same, and thus the Nowab Sahib became aware of the particulars of the plot which they contemplated to get, and the Nowab Sahib sent us information of the same; but at the time not placing confidence in it, I did not interest myself about it, and the whole of the above parties were by Lulloo brought and located in the Baba's private garden; they remained there for a couple of or three days, and were tutored by Baba and Lulloo, and perfected in the respective part each one should act in the plot; and on the Phalgoon Sood 11th, Sumvut 1903 (25th February 1847), these intriguers were sent to my house, and they from "Shree" Nursingjee's "Pole" commenced loudly exclaiming, "Where is Bhanabhaee's house?" and when they had come to my house they said, "Give us the remainder of the money due to us;" upon this, my wife went out to them; whereupon they ran away and went to the firm, where Baba immediately admitted them up-stairs, he having instigated them to this measure; and at the same time, without affording her an opportunity of vindicating herself, Baba placed my daughter Joitabaee under surveillance; upon this my wife went and acquainted her Highness Sobhagvuttee Ghirjah Bhye Bha Sahib, the Maharaj's consort, with the whole of the particulars of our grievances, and Bha Sahib informed her that the above particulars she had acquainted the Maharaj with; and I also, through the intervention of Succaram Pursotum, obtained an interview with the Prince Row Sahib, and the Row Sahib informed me that he had acquainted his royal father with all the particulars of my case, and consequently there was no necessity of having a personal interview with the Maharaj. A few days after this, however, about 30 persons came to my house and placed me in confinement; upon this my wife again went to H. H. Bhye Sahib* of what had taken place, upon which she was informed that she might go where she pleased (for redress); upon this she left the palace, and directly proceeded to Bombay, and complained to the Bombay government. In the meantime, the door of my house was broken open, and heedless of the "Dawaes" I gave them of both the governments, they entered and took away the boy; and further, the abovementioned intriguers from the Sowlee Purgunah came and had an interview with the Nowab Sahib; this information coming to the knowledge of Baba, he considered that as the Sowlee Purgunah belonged to the Nowab, these parties were likely to discover the plot concocted by his (the Baba's) instigation, and fearing the Nowab, the Baba concocted a new plot with the Amleeyara people; the Amleeyara village belongs to the Sett; therefore, this second plot was got up with its villagers. The above are the particulars of my grievances, which the Sirkar should take into consideration. Dated Kartic Sood 13th, Sumvut 1904 (20 November 1847).

* *S. O.*

(signed) *Bhanabhaee Khandass*, in his own handwriting.

Attesting Witnesses,

(signed) *Pundeeya Korrnashunkur Ravishunkur*,
Residing at the Bhoollude Gate.

Chowkusee Bhundravun Tuljah,
Residing at Mahapooree.

Examination resumed.

Question. The day the Settjee died, the Settanee Joitabaee declared that she was *enceinte*; therefore you are required to state how far she was at that time advanced in pregnancy, and by whose orders, and by whom was the investigation usual amongst females to resort to for the purpose of ascertaining the truth, or otherwise of your daughter's condition, to be conducted upon that occasion?—*Answer.* Upon the day on which the Settjee died, my daughter Joitabaee Settanee was about four and a half months advanced in pregnancy, and the elder Settanee Maha Luximee instituted such inquiries as are usual amongst females to resort to when she was bathing, sitting, sleeping, eating and drinking; and being constantly near her, all the necessary means were afforded her for this purpose.

You state that on Magsur Vud 8th, Sumvut 1902 (22d December 1845), your daughter, feeling herself seriously indisposed, apprized her elder rival Settanee of her intention of removing to your house, and that after doing so, about 9 or 10 o'clock at night she came to your house; therefore you are required to name the parties who were present when your daughter Joitabaee informed of her intention of removing to the house of her parents, and to state what reply the elder Settanee made upon doing so, and to explain the nature of Joitabaee's indisposition?—Joitabaee Settanee had many persons in attendance upon her; with one of them, many days having elapsed—I at present forget the name of the person, but will recall to my recollection, and afterwards mention—she sent word to Maha Luximee Settanee, that agreeably to the practice amongst females in her condition, she felt the pains of labour coming upon her.

You state that about after midnight of the same evening upon which she had removed to your house, she was delivered of a son; therefore you are required to name the females who were present at your daughter's accouchement, and the midwife who assisted her upon the occasion?

—Midwife Jumna, the wife of Barber Behchur, residing at Bazwadda, assisted her, and my mother Ambabaee and wife Laudbaee, and Muneba woman, the wife of Purboodass, a Mhode Vania, living in Bazwadda, and Ravee woman, the wife of Nanabhut, living at Bazwadda, these females were present; and there might have been others, but I do not recollect.

You state that immediately upon your daughter's being delivered of a son, you sent word to the Sett's house of the joyful event; therefore you are required to state by whom you sent word to the Sett's, and to whom the person you had sent communicated your message at the Sett's, and what parties from the Sett's called upon you on that occasion? —Immediately upon the birth of the infant I sent word to the Sett's by the Goomasta Harreelall Bhyechund, residing at Bazwadda; he delivered the message to one of the sentinels on guard at the Settjee's, but he did not ascertain the sentry's name, and nobody came that night from the Settjee's house, but the next (Maha Luximee) Settanee sent Baba Nafra's wife.

You state that Baba Nafra's wife was sent by the elder Settanee; therefore you are required to explain why you say that she had been sent by the elder Settanee?—Because when Baba Nafra's wife came to my house, she herself informed me that she had been sent by the elder Settanee Maha Luximee to inquire, and after saying so, she went to Joitebaee Settanee and saw the infant, and saw my daughter suckling the infant, and besides she made many inquiries, after which she presented one gold pootlee and some goll of Joitebaee Settanee.

You state that in consequence of the boy Moteelall having had the small-pox, you took him to "Pore Verna;" therefore you are required to explain how old was the boy when the small-pox came out upon him, and the number of pustules that came out, and who all had come from the house of Hurree Bhugtee to see the child whilst thus afflicted?—About three months after the birth of the child the small-pox came out upon him; he had about 20 or 25 pustules came out upon him; and as it is usual in our caste to present sugar on such occasions, many persons called at my house to present sugar, and upon their doing so, they used to fondle and play with the child before leaving; but I do not recollect any person from the Sett's house coming to make inquiries respecting the child's state of health.

You state above that your caste people used to come and bring sugar; after playing with and fondling the child used to go away; therefore you are required to name the parties who had so come to your house with sugar during Motteelall's illness?—The wife of Parruck Sewlall Koobair, residing at Landwadda, I do not at present recollect her name, and Baee Parotee, the wife of Nurrotum Mullalee, and a pot of sugar was sent from the Sett's, but I am not certain of this; but at the time the boy was taken to "Pore Verna" for the purpose of performing the small-pox ceremony, Dulput Kavuldass, Bappoojee Koolunddass, Damother Doolubdass, Bhugwan Mujmoodur, the Ahmedbenwalla Nagurdass Nurrotum Luximeedass, and others, came to my house about seven o'clock in the morning, and put upon the boy Moteelall jewels which they had brought with them from the Settjee's house, and with their own hand these goomastas placed the boy in a palanquin, and wet-nurse, Gunga Joitabaee, my wife, myself, Hurreelall Bhyechund, besides servants and attendants, altogether about 50 or 60 persons, accompanied the boy to "Pore Verna," and Moteelall was seated in the palanquin with his mother Joiteebaee, and after arriving at "Pore Verna" Pooja was performed, and the Brahmins feasted, and the Moja Verna Patel, whose name I do not recollect, but before this person we placed a Nuzzurrunah, and in the evening we returned home.

You have stated above that the Baba took yourself and your daughter aside, and asked both your permission for carrying out certain measures he had in contemplation, and that upon your withholding your consent, he from that time harboured malice against both of you; therefore you are asked to explain what great measures you withheld granting your consent to his carrying out, that he should have consequently entertained malice against you?—The great measure he was desirous of obtaining our permission to carry out was the opening and inspecting the great "Jamdarkhuna," since the Sett was dead, and both myself and my daughter the Settanee withheld our consent to his doing so, and informed him that since the children were young it should not be done, and that there was not scarcity of funds at command in the firm, and that this measure could not be resorted* at the time; for this reason, he bore malice against us.

* *S. O.*

Who had the power of opening the "Jamdarkana," and who† the charge of the Jamdarkhana keys?—I know not where the keys were placed, but both the Settanees had vested in them power over the Jamdarkhana, but it was at the time under the Baba's management.

† *S. O.*

For how long after the Sett's death were the orders of both Settanees with which they had been vested respected?—After the Sett's death the usual business of the firm went on undisturbed; but about six months afterwards, any measures old and new which had to be done, Baba, having obtained the permission of both the Settanees, used to do.

You have stated that the Baba, having furnished the Goomasta Lulloo Bhugwun with a sum of money from his private funds under the plea of sending him to the "Hoontuddeeya Mhodee," sent him away from Baroda for the purpose of plotting against the boy; therefore you are required to state how you became aware that this Lulloo Bhugwan had been dispatched for the purpose of plotting against the boy?—Dossee Vannia Bhukun Bheeka and his Goomasta Dulput, residing in Bazwada, had both of them come to me about midnight, in the month of Phalgoon (February, March), and the third day before the plot exploded, and

and informed me of the particulars of the plot which was being concocted against mé, and they said that they had learnt at the Nowab's wadda, that Lulloo Bhugwan had gone to the Sowlee purgunnah, and got up a plot, and that this Lulloo had brought along with him to Baroda his colleagues in the intrigue, and had located them in the Baba's garden, &c., but at the time not placing any confidence in the story, I paid no heed to it; but about Lulloo being furnished with a sum of money, I learnt from rumour; but the Sirkar, by making inquiry, will be able to ascertain the fact.

Did any of the intriguers from the Sowlee purgunnah come to you?—Not having had any acquaintance with them, therefore they did not come to me.

You have stated above that the Nowab had sent you word of Lulloo Goomasta having got up a plot against you amongst the Sowlee people, who had informed him about,* therefore you are required to name the party by whom word had been sent to you by the Nowab, and to explain the whole of the particulars of what the messenger had communicated to you about this intrigue?—It is true that I have above stated that the Nowab had sent me word about the intrigue, but the information had been furnished me by Dossee Banian, and, consequently, I went to the Nowab's wadda, when I learnt, from a person whose name I do not recollect, that certain Kollees would come to my house and create a disturbance, and he requested me to be upon my guard, but he did not inform me of the nature of the disturbance which would be created; and the statement made by me above, that the Nowab had sent to inform me about the contemplated intrigue, I beg to submit that this statement was made by me through a mistake.

* *S. O.*

When the intriguers had come to your house, what did they say, and what answer did you give them?—On Phalgoon Sood 11th, St. 1904 (25th February 1847), in the evening, the Sowlee purgunnah intriguers came, calling out loudly "Where is Bhannabhaee's house?" from the Nursingjee's Pole to my house; at that time I was from home, but the females of the house came out to them, and they said to the females, "Take back your deed and pay us the balance of the sum due to us, otherwise return the boy to us;" after saying so, they went away.

You state above that the Sowlee purgunnah intriguers were brought and located in Baba Nafra's garden at Baroda by Lulloo Bhugwan, and that Baba Nafra detained them in his garden for three days, during which time he perfected them in their respective parts, and afterwards sent them to your house; therefore you are required to state who had afforded you the above information, and what proof you have to substantiate it?—I learnt of it from rumour, and have mentioned it, and I am in possession of no proof to substantiate the same.

You have stated above that the intriguers from the Sowlee purgunnah having had interview with the Nowab Sahib, the same came to the knowledge of Baba, who fearing that as the Sowlee purgunnah belonged to the Nowab Sahib, that these parties were likely to discover the plot to the Nowab Sahib, and acquaint him that they had been instigated to it by him (the Baba), that therefore the Baba was induced to concoct a new plot with the Amleeyara people, &c.; therefore you are required to state who had informed you of the Amleeyara plot, and the nature of such plot?—On Phalgoon Sood 12th, St. 1903 (26th February 1847), Goomasta Bhugwan Majmoodar, Bappoojee Koobeirdass, and Vukeel Nundjee were sent by Baba from the firm to my house, and they desired me to give up the boy with me to the Kollees who had come there from the Sowlee purgunnah; and that the Baba greatly entreated me to do so; to this I replied, that the Baba, from the personal ill-will he bore towards me, had got up this intrigue, but that notwithstanding that the child would not be thus forcibly taken away from me; upon which they said that I would have cause to regret my non-compliance with the wishes of the Baba, and they went away. Subsequently, on Phalgoon Sood (— February 1847), Goomasta Bhugwan Mujmoodar, Bappoojee and Damother Vyda, these three individuals came and informed me that Baba had sent them to inform me that he admits of my daughter having had a son, but that upon the day on which we had gone to "Kaka Bulya," that I had procured the son of the Kollee belonging to Moja Mhorleepoor, who was seated on the road. I answered that it would be as well for them to cease their intrigues, and that thereupon which we had gone to "Kaka Babja," no less than about 60 persons had accompanied us, and that the boy had valuable ornaments upon his person, and that if the boy had been changed, how was it likely for us to have the child of his ornaments, and how possible that we could have changed him; and further that they themselves were personally with us, and therefore it was not proper for them to utter such a falsehood; to this the goomasta replied that they had only delivered the message which they had been charged with by Baba, therefore that I should look to the Baba and not them for an explanation; and after saying so, they went away. The goomastas came a third time; I however only recollect the name of Bhugwan Mujmoodar and of none of the rest; they came to me and said something, but I do not at present recollect what they said; but this much I know, that they took the name of Moja Amleeyara, and from their having done so, we concluded that since the Sowlee Purz was under the Nowab Sahib, and the Morleepoor village under Bulwuntrow, that any plot concocted in connexion with the above two places would not be permitted to stand, but that as Moja Amleeyara was under the Sett, a plot had been got up there, and my son forcibly taken away from me.

Date omitted in the original Deposition.

Were you ever appointed as mehta over the Amleeyara village; and if you were, state for how many years you were in office, and name the party by whom you were appointed?—I remained as mehta to the Amleeyara village for a period of 18 years, and was appointed to it by Sett

Sewlall during his lifetime, and I remained in office from Sumwut 1883 to the month of Posh St. 1903 (1827 to January 1847), and myself, and on the part of Nurbarasee Deysme Goomasta Rowashnakur, and his father Purbashunkur, were the mehtas to the above village, and we both conjointly used to perform the business of the village; I was alone on the part of the Sett; and on the part of the Deysaee, the above-named two individuals were appointed.

Was Sepoy Dadabhoyeever havildar of the above village; if he was, for what length of time did he continue in the office?—Yes; Dadabhoy held the appointment of havildar to the above village, together with Scindee Currean, and they remained for about three or four years; and for the time I remained as mehta to the village, he was then as havildar; but I do not know whether he is so at present or not.

(signed) *Bhanabaee Khandass,*
in his own handwriting.

Kartick Sud 1st, St. 1904 (23 Nov. 1847).

Witnesses,

(signed) Gokuldass Tappeedass.
Sepoy Penda Daveesing Bucktavursing.

Examination again resumed.

Question. How long before Bachurbhaee Saund's death had he been ailing, and what was the nature of his disease, and who used to professionally attend upon him?—*Answer.* He had been acting about seven or eight months before he died, but the three last months immediately preceding his death, he was dangerously ill, and he was labouring under flatulency, and consequently could not take his food; and for the above-named three months, he was obliged to be helped about, and I don't recollect which doctor used to attend upon him.

Setanee Joitabaee having been accouched at your house, you are required to state whether her parturition took place on the upper story of your house or on the ground floor?—Joitabaee Setanee's accouchement took place in a room on the upper story of my house.

You have stated above, that when the Setanee Joitabaee was confined, the assistance of the midwife Jumna, the wife of a barber, was called in; therefore you are required to state what remuneration was made to this woman for her trouble, and if any remuneration had been made to her, whether it was from your private funds, or from those of the firm?—The midwife Jumna, for the assistance she had rendered at the Settanee Joitabaee's accouchement, I don't recollect, whether remunerated from my private or the firm's funds. This information my wife might possess, but what amount was given, I do not know.

When the Setanee Joitabaee removed to your house, what parties belonging to the Setts accompanied her there?—Parties from the Setts had accompanied the Settanee, but at present I don't recollect their names.

Of the Settanee's personal attendants, including females and males, who all accompanied her to your house?—Of the personal servants who had accompanied the Setanee, I only recollect the name of one, *i. e.*, Hurka; but forget at present the names of the others.

(signed) *Bhanabaee Kandass,*
in his own handwriting.

Kurtick Vud 2d, St. 1904 (24 Nov. 1847).

Further Examination.

Question. In answer to a question to you yesterday, you have stated, that the next day after the Settanee Joitabaee had been accouched, Baba Nafra's wife had, and that upon that occasion she witnessed Joitabaee Setanee suckling her infant; and that she made further investigation, &c.; therefore you are required to state whether, from the day of the child's birth, the Setanee Joitabaee herself used to suckle the child, or whether a wet-nurse had been entertained?—*Answer.* From the day the child was born, for about a month succeeding, Setanee Joitabaee used to suckle her infant herself, and about a month after the child's birth, wet-nurses were entertained; viz., Khooshalee and Gunga Murratnee, these two wet-nurses were entertained; but I do not recollect which of these two was entertained first.

(signed) *Bhundbhaee Kandass,*
in his own handwriting.

Dated Kurtick Vud 2d, St. 1904 (24 Nov. 1847).

Note.—On the first six bunds double strokes are made. On the following six bunds, Bhanabhoy's name is written; and on the remaining two bunds nothing is written.

No. 83.

TRANSLATE of the Deposition of Gungah, Woman; Religion, Hindoo; Caste, Mahrattee; aged about 28 years; Occupation, Domestic Servant, engaged with Joitabaee Settanee; Inhabitant of Baroda, in Rowpoora; taken upon oath at the Durbar on Magusur Vud 1st, Sumvut 1904 (22 December 1847).

Question. How many years have you been in Joitabaee Settanee's service, who got you so employed, and what duties do you perform?—*Answer.* For the last two years am I in the employ of Joitabaee; and upon the Settanee Joitabaee being delivered of a son a month and a half afterwards, the Settanee's mother, Ludbaee, engaged me for the purpose of suckling the infant, and I used to get three rupees monthly from the Settjee's shop.

What length of time did you suckle Joitabaee's son?—I suckled the child for a month and a half, when my milk failing me, Ludbaee engaged another wet-nurse, named Khooshallee, together with whom for about seven or eight months I continued to suckle the child, after which my milk having entirely failed me, Khooshallee alone continued suckling the child.

How many days after Settanee Joitabaee had given birth to her son did the boy take the small-pox; what number of pustules came out upon him, and used you at the time to nurse him?—The boy was about three months old when he took the small-pox; about thirty or forty pustules came out upon him, and at this time I used to suckle and nurse him, together with Khooshallee, the other wet-nurse.

After the boy was cured of the small-pox, had he any marks left upon his person?—He had slight marks left upon his face and body.

Upon any particular day were you sent for by any person at Paruck Hurree Bucktee's, to bring the son of Joitabaee Settanee from Bhanabhaee's, where the boy then was?—Joitabaee Settanee, Baba Nafra, and a Banian female named Punnee, were seated together about half past ten o'clock at night, when I was sent for, and directed by Baba Nafra and Settanee Joitabaee to go and fetch Motteelallbhaee to them from Bhanabhaee's, whereupon myself and Seetaram Jemadar, together with a Mussalchee and four or five other persons, proceeded to the house of Bhanabhaee, and informed Bhanabhaee that the Settanee Joitabaee wanted her son, Motteelallbhaee; Ludbaee was at the time absent, but Bhanabhaee said that he would not send the boy until the return of Ludbaee; upon which I tried my best to persuade him, but still Bhanabhaee refused to comply, upon which the Jemadar and Goomasta Bhugwanbhaee directed the staple of the door of the room in which the boy [was shut up to be removed, and this being done by a blacksmith, I went and took the boy from Khooshallee, who was in the room with the boy, and returned with him to the Sett's house; and on the upper story behind the mundeer, the treasury room is situated, in which the boy, myself and Khooshallee were located the whole of that night, the next day, and till midnight; the following night we remained in this place, when Khooshallee, the Jemadar and Baba conveyed the child away from thence, and I also went to Joitabaee Settanee, and intimated to her of the child having been conveyed away; but she made me no answer.

Have you ever heard whose son the boy Motteelall was?—That the boy with Joitabaee Settanee was the son of a Kollee, I have heard from people; but I do not know whose son he was.

When you went for the purpose of bringing the boy from Bhanabhaee's, was Ludbaee at home?—She was not at home; the boy and Khooshallee were in a room, and Bhanabhaee in an outer room.

Ludbaee was not at home, and Bhanabhaee was in the outer room; then was the door of the room in which the boy and Khooshallee were, fastened from the inside by any one?—The boy and Khooshallee being inside the room, the door of the room may have been fastened by Khooshallee.

Did the Jemadar and Bhugwan call to Khooshallee from outside?—They repeatedly called to her from the outside, but she made no answer; upon which the blacksmith was sent for to remove the staple from the outside.]

You state that Khooshallee and others had taken away the boy at midnight, therefore you are required to state what Khooshallee upon her return said to the Settanee Joitabaee?—She returned about half or three quarters of an hour, when I inquired of her about the child, when she informed me that the boy had been delivered to a kollee and kollien, who were at the Set's garden, but I do not know whether she said anything to Joitabaee Settanee or not on the subject.

her
(signed) *Gunga Marratteen,* × mark.

Witnesses,
(signed) Javair Chund Luckmee Chund.
Hurlochund Amrutram Bramin.

Did you ever see the Settanee Joitabaee suckle the boy?—The Settanee was suffering from fever, therefore I was entertained for the purpose of suckling the boy; and her milk being considered bad for the child, she used not to suckle him, but once or twice I saw her give the child her breast, but whether milk came from it or not I know not.

Dated and signed as above.

I have above stated, in answer to a question, that Baba Nafra, Punnee, and Joitabaee Settanee were seated together, when I was sent for, and desired by Baba Nafra and Joitabaee

baee Settanee to go and bring the boy from Bhanabhoy, but now I beg to submit it, that I do not recollect that Joitabaee Settanee had desired me to do so; I am, however, sure that Baba Nafra had sent me to bring the boy.

Dated as above.

No. 84.

TRANSLATION of the Deposition of Kooshallee, Woman, Wife of Ambueedass; Religion, Hindoo; Caste, Rajpoot; aged 35 years; Occupation, Domestic Affairs; Inhabitant of Baroda, residing at Bhurunpoora; taken upon oath at the Durbar, on Kartick Vud 11th, Sumvut 1904 (3 December 1847).

Question. WERE you employed to suckle Joetabhaee's son, and if you were so employed, state for what length of time, by whom you were engaged, and what remuneration you received for your services?—*Answer.* One day about two and a half or three months ago, the day of the week and date I do not recollect, a sepoy belonging to Seetaram Jemadar, named Adjudia Sing, came and informed me that Settanee Joetabhaee wanted me; at this time, her son was about two and a half or three months old; and as the Settanee was at her father Bhanabhaee's house at Bazwadda at the time, I waited upon her there. The Settanee and her mother inquired whether I would undertake to engage myself as wet-nurse to the Settanee's son, and I excused myself under the plea that I had to suckle my own daughter; upon this they said, if I was willing to stay with them, I should be allowed the indulgence of suckling my daughter also; to this arrangement I consented, and my pay was settled at three rupees per mensem; besides which I was to be found in food and four sarrees and other clothes annually; the same evening I entered upon my duties, and continued so employed for about a year; all day the child used to remain at Hurree Bucktee's house, and all night at his grandmother Ladbhaee's, and I used to suckle him at both places. I received in all, from time to time, 36 rupees, and four sarrees and four choolees from Hurree Bucktee's house, for my services.

Were you engaged before or after the child had had the small-pox?—I was engaged after the child had had the small-pox, and after he was brought back from being prostrated before the idol at "Pore Vuva."

Since you state that you were engaged after the child had had the small-pox, state how you became aware that the child had ever had the small-pox?—How else should I have become aware of the fact but from hearing the Settanee talking about it?

Since you state that you were engaged after the child had had the small-pox, state how you became aware that child had ever had the small-pox?—How else should I have become aware of the fact but from hearing the Settanee talking about it?

Since you state that you were engaged after the child had had the small-pox, did you observe upon his person any marks left by the pustules?—The boy had no such marks upon his person then; how could I have observed them?

Did you ever witness the Settanee's, Joetabhaee, suckling her babe, and did you observe whether her breast produced any milk?—Occasionally the Settanee used to give the child her breasts to suck, but I never observed any milk produced by them.

Did you see the child before he was attacked with small-pox?—No, but I heard that the boy had had the small-pox.

(signed) *Kooshallee*, Woman, Wife of Rajpoot Ambayeedass, in the handwriting of Vukeel Vulubdass Nuseedass.

Attesting Witnesses,
(signed) Gokuldass Tappudass, and
Wullubdass Merseedass.

Examination continued.

Question. Ghunga Maharatteen deposes, that you and herself conjointly suckled the child when he had had the small-pox, and you state that you were not employed till after the boy had been cured of the small-pox, and his return from being prostrated before the idol at "Pore Vuna;" therefore you are required to explain this difference between your respective statements?—*Answer.* I was engaged about 15 days after the child's return from being prostrated before the idol at "Pore Vuna," therefore what Ghunga has stated is false.

It would appear that when Ghunga and Seetaram Jemadar had come from Sett Hurree Bucktee's to Bhanabhaee's house at night to take away the child Mooteelall, you took the child with you, and concealed yourselves in a room on the upper story of Banabhaee's house; therefore you are required to state whether the door of this room was shut or open, together with all the particulars which transpired upon the occasion?—About seven or eight months ago, the day and date I do not recollect, but one night about nine o'clock, Ghunga, Settaram Jemadar, Goomashta Bhugwan and others, came to Bhanabhaee from Sett Hurree Bucktee's, and Bhanabhaee upon seeing them coming, suspecting that they were coming to take away the boy, directed me to take the child and secrete myself in one of the rooms up-stairs, and the door of which he desired me to fasten from the inside; whereupon I did as Bhanabhaee had bid me; after which, Ghunga and the others came up-stairs, and Ghunga informed

informed Bhanabhaee that she had been sent by Joitabaee Settanee to bring Mooteelall away; Bhanabhaee refused to allow her to take the child away before the return of his wife; upon this they came before the door of the room in which the child and myself were concealed, and the Jemadar called to me to undo the fastening of the door, and Bhanabhaee also called to me not to do so; whereupon they took the doors off their hinges, and they entered the room; Ghunga took the child from me and went down-stairs, desiring me to follow her, which I did; and on the road, Ghunga and myself alternately carried the child to Hurree Bhugtee's house; that night the child was left with me; and about eight o'clock the following night I was desired to carry the child, and accompany Bhugwan Goomashta and two or four other men, one of whom had a torch, to the Sett's dhurumsalla, and upon my arrival there, Baba made me deliver the child to the wife of a Tullaweeya of Amleeyara; after which I returned to the Sett's house.

Was the boy Mooteelall so conveyed away from the house of Bhanabhaee before or after the rumour to the effect that this boy was the son of a kolee, &c. had been spread about in the city?—The boy was conveyed away from Bhanabaee's after the rumour had been so spread abroad.

How many sepaees, &c. came to take the boy away from Bhanabhaee's?—When the child was being conveyed away, I saw about five or seven sepaees, &c.

Attesting Witnesses,
(signed) Vakeel *Vurchund Koobairdass.*
Sepaee *Deoveesing Bucklavursing.*

No. 85.

TRANSLATION of a Deposition made on oath by Baee Rewa, Wife of Brahmin Nanabhutt, by caste Brahmin; aged about 30 years; Occupation, Domestic Affairs; Inhabitant of Rajwaira, in Baroda; at the Durbar, dated Poush Sood 15th, Sumvut 1904 (A. D. 20 January 1848).

Question. Do you know any thing about the boy brought forth by Settanee Joitabaee at the house of Bhanabhaee Candass, and if you do, state all the particulars?—*Answer.* One day, about two years ago, the exact date I do not recollect, but it was a moonlight night; at about 10 P.M. somebody called out from outside the house, and said that I was wanted at Bhanabhaee's, as Joitabaee was in labour; to whom I answered, that he should go, and that I would follow him. I afterwards went alone to Bhanabhaee Candass' house, opened the door, which was not fastened; went up-stairs, and sat down in a room where Joitabaee Settanee was. Two hours after, Joitabaee's son was born; after which I returned home alone.

What women were there when you went to Joitabaee, and at the time when the boy was born?—Joitabaee's mother Ludbaee, her grandmother Umbabaee, and midwife Jumna were there when I went, and Munchavow, wife of Purbhoodass Bunia, came afterwards; they all were there till the boy was born.

When the child was born did you touch Joitabaee, or were you sitting at a disan ce?—I did not touch her, but was sitting at a distance.

Who did cut the boy's "nal," navel-string?—Jumna, midwife, cut it when the boy was born; I came home afterwards.

When the boy was born, was shallee beaten and the good news sent to Hurree Bhugtee's house, or to those of other relatives?—Shallee was sounded in "pursall" (middle room) after the child's birth, but as I was in another room I do not know by whom it was done. As to the good news I know nothing.

Did you frequent that house after the boy's birth?—On the sixth day I had been there to take "duxna" alms, and on the 10th day, on which the Settanee washed her body, to dandle the child; I was also frequenting the house afterwards for fondling the child.

Did you go there when the boy had small-pox?—No.

Why were you called on the day of the boy's birth?—Because I have "behunpunah," great friendship with Settanee's mother Ludbaee.

Do you know what was paid to the midwife when the boy was born?—No, I do not know.

Since you have so great a friendship with the Settanee's mother, did not she ever speak to you before on this point?—No.

Was Bhanabhaee at home when Settanee Joitabaee brought forth the boy?—Bhanabhaee was setting in "pursal" of down-stairs.

How long after your returning home your neighbour Munchavow went there?—I do not know, because I slept as soon as I came home.

Did you see and dangle the boy at the time he was taken to "Porevurna" after he had the small-pox?—At the time of their going to "Porverna" I had given a cocoa-nut, and seen the boy; I had seen him on their return also.

Did you observe on the body of the boy the marks of small-pox on his going to and coming from Porverna?—Yes, a few.

No. 86.

TRANSLATE of the Deposition of Muncha, Woman, Wife of Purbhoodass Wundrawun; Religion, Hindoo; Caste, Mohode Banian; aged about 40 years; Occupation, Domestic Duties; Inhabitant of Baroda, residing at Bagwadda; taken upon oath at the Guicowar Durbar on Posh Sood 15th, Sumvut 1904 (20 January 1848).

Question. Do you know anything about Joitabaee Settanee being delivered of a son at Bhanabhaee Kandass' house, and if you do, you are requested to state all the particulars connected with the occurrence?—*Answer.* About a year and a half or two ago, on Magsur Vud 8th (22 December 1845), about midnight, the people of my neighbourhood informed me that Rewavow had come and left a message that Ladbaee wanted me, upon which
* *S. O.* I went to the house at * Ladbaee, and the door of the house being left open, I entered, and went up-stairs into the sleeping room, where I saw Joitabaee, her mother Ladbaee, her grandmother Ambabaee, Revavow, and the midwife Jumna, these parties were there seated; I also took a seat amongst them, and about two gurrees afterwards Settanee Joitabaee was delivered of a son, and the midwife Jumna separated the umbilical cord, after which I returned to my home; Revavow had left before me; this is all I know about this affair.

When the Settanee Joitabaee was delivered, did you touch her?—I did not touch her, but was seated at a distance.

At the time of parturition, was the "sallee" (pan) sounded, and word sent of the good news to the house of Paruck Hurree Bhugtee, and the rest of her family?—In the outer room of the house the sallee (pan) was sounded, but I know not by whom; and the good news of the child's birth Bhanabhaee's mother bawled out, and intimated to her son, who was seated on the third story, and at the same time she desired him to send word to the Sett's house of the same; but I know not by whom word was sent by Bhanabhaee.

Many females besides yourself reside in the neighbourhood, how is it that you alone had been sent for?—I am her next-door neighbour, and friendly with Ladbaee, therefore had I been sent for.

Were you in the habit of going to nurse this child?—I used to frequent the house constantly, therefore it is true that I have nursed the child, and have also seen the Settanee suckle the child.

When the umbilical cord had been separated, did the midwife receive a present?—I did not see the midwife receive anything.

When this lad had the small-pox, used you to go to the house?—At that time I was impure, therefore did not go; but subsequently, after the child was brought back from being prostrated (before the idol) at "Pore Verna," I took some sugar with me and went to the house, when I saw the boy, whose body was pitted with a few marks of the small-pox.

Revavow informed you, that Ladbaee wanted you; did you ascertain from Revavow who
† *S. O.* had † to come to tell her to call you?—I inquired of Revavow, who had come to call me, when Revavow informed me, that the outer door being shut, the person who had come called her and myself from outside, and went away; therefore she could not say who had come to call us.

When Bhanabhaee's mother called to her son to send tidings of the happy event, did Revavow hear her do so?—We were all seated in one room, therefore she must have heard her do so.

When Bhanabhaee's mother called to her son, who was on the third story, did he come down?—No, but he came down the stairs, and having heard, returned to the third story, from whence he might have sent word by somebody, but he did not come into the outer room on the ground-floor.

At the time you went up-stairs at Bhanabhaee's, were anybody in the outer room on the ground-floor?—Some males were seated, but who they were, or how many there were, I do not know.

The necessary condiments required upon the occasion of accouchements, were they procured beforehand, or sent for afterwards?—Such stuffs as were not at the house at the time, was sent for, and Bhanabhaee's mother brought them, but from whence I know not.

You state that the midwife, Jumna, officiated upon this occasion, therefore do you know this woman, and where she resides?—I know Jumna; her husband's name is Bachur, and he resided in "Hatteeree Sairee," and is a barber by caste, but now she is dead.

You have above stated, that it is about two years since Joitabaee's parturition, therefore how is it that you recollect at such a distance of time that the boy was born on Magsur Vud 8th (22 December)?—Because on that day the "Gokul Nattjees" feast took place; therefore I recollect the day and date.

(signed) *Munchavo's* × mark,
Wife of Purboodass Vunrevun.

Witnesses,
(signed) Sha Gudhur Sewlal.
Daveesing Buklawursing.

No. 87.

No. 87.

TRANSLATE of the Deposition of Bechur Bhugwan; Religion, Hindoo; Caste, Lee[illegible]sheeya Barber; Occupation, Barber; aged about 50 years; Inhabitant of Baroda, and residing in Bazwadda; taken upon oath at the Durbar, on the 4th Kartick Vud, Sun[illegible]t 1904 (20 November 1847).

Question. WAS your wife in the habit of following the calling of a midwife?—*Answer.* Yes' she used, but has been dead since eight months ago.

When Bechurbhaee's widow, the daughter of Bhanabhaee, was being delivered, had your wife's assistance been called in; and if it had, state all that transpired on the occasion?—Being at the time absent at Ahmedabad, all that I know is, that my wife's assistance was called in when Joitabaee Settanee's parturition took place, the particulars of which, however, for the reasons stated above, I am ignorant of.

Who had come to call your wife on that occasion?—A female from Bhanabhaee's had come to call her, but I am ignorant of this female's name or whereabouts.

What remuneration did your wife receive for her services?—She received one rupee on the first, and five rupees upon the second, third or fourth day; thus altogether she received six rupees.

By your own admission, it would appear that you were absent at the time at Ahmedabad; then how could you know that a female from Bhanabhaee's had come to call your wife?—When I returned to Baroda, I learnt this from my wife.

Since you state that your wife acquainted you, upon your return from Ahmedabad, of her assistance having been called in, and of her having been rewarded with six rupees for such assistance as she rendered, how is it that she should only have informed you of the above, and of nothing else which might have upon the occasion transpired?—On these points only I questioned her, and she afforded me information.

Did your wife inform you whether she had gone there before the Settanee's parturition?—She informed me that she had been sent for after the birth of the child, for the purpose of cleaning away the after-birth, and such things.

You state that your wife had really been sent for, but if it be proved, from the testimony of other parties, that she had not been sent for him* then?—If it be proved that she had not been sent for, I bind myself to undergo any penalty the Sirkar may think proper to impose upon me. * *S. O.*

There is no difference in what I have above deposed to.

(signed) *Bechur Bhugwan*, Barber,
In the handwriting of Vakeel Gokuldass Tappidass.

Attesting witnesses,
(signed) Daveesing Bucktawursing.
Ootum Hurkjee.

Note.—Nos. 88, 89, 90 and 91, will be found in Appendix (F.)

No. 92.

TRANSLATE of the Deposition of Bhuckteedas Khandoss, *alias* Bhanabhaee; Caste, Dussalwud Bania; inhabitant of Baroda; aged about 50 years; Occupation, Trade; dated Shrawun Vud 9, S. 1906 (31 August 1850).

Question. IN the case of Joitabaee Settanee, the widow of Parruck Bhachurbhaee's son, a deed, in your name, drawn in favour of Kollee Ruggoonath, securing to him, in lieu of taking his son, the sum of 200 rupees annually for life, has been produced; therefore you are required to state whether you had drawn out this "leck" in favour of the Meetapoor kollee, or otherwise?—*Answer.* Joitabaee Settanee is my daughter, but I never purchased a child from the Meetapoor kollee, nor did I pass a "leck" to give him the sum of 200 rupees annually for life, and I know nothing in this matter; the "leck" is a forgery.

Meetapoor Kollee Ruggoonath produced your deed; that is to say, one deed passed to him in the name of Bhucktee Khandass, dated S. 1902, Magsur Vud 8 (22 December 1845), in lieu of having purchased from him his son; and you are shown this deed, and asked whether the signature be in your hand-writing, or how?—Having seen the deed in question, I declare that I know nothing whatever about the deed, and that the signature is not in my hand-writing; neither do I know in whose hand it is.

You are called Bhanabhaee, and the deed bears the name of Bhucktee Khandass; there foe, what is your real name?—My name is Buckteedass; but as my uncle and myself were living in the house of Sewlall Parruck, everybody calls me Bhanabhaee, but my real name is Bhucktee Khandass, and upon this name have they intrigued; but I know nothing whatever regarding it.

(signed) *Bhuckteedass Khandass*, in his own hand-writing.

No. 93.

TRANSLATION of the Deposition on oath of Vamunrow Venktesh, *alias* Baba Nafra; taken at the Durbar on 29 November 1847 and 9 December 1847.

[*Question.* How long did Paruk Bechur Samul continue sick before his demise, and from what disease did he suffer, and whose medicines used he to take?—*Answer.* Sett Bechurbhaee, before his demise, was laid sick for about a year or fifteen months, of which four or six months he was in danger of his life, and that, without other persons' aid, he could not sit or rise; he suffered from cholic complaints; he used to take medicine from Hurjeevun and divers Veyds, always with the consent of Moteeram Veyd.

Bechurbhaee Paruk, before his death, made adjustments of his firm, &c.; what sort of arrangement did he make for Settanee Joitabaee?—Settjee, one month previous to his death, called me, and made adjustments of his shop, house, &c.; in the same adjustment, in the first para., Settanee Jaitabaee's arrangement has been made, which is, that "in Settanee Jaitabaee's name one lakh of rupees be deposited in the firm, and the interest of which should be given to her for performing the ceremonies of yatras, &c.; and Settanee Joitabaee's jewels should be examined once a year, according to the yad (list) of the same:" thus it is written.

Settjee, before his death, when he placed elder Settanee Mahaluxmeebaee's son, Purshotumbhaee, on the lap of the younger Settanee Joitabaee, were you present, and what for did he place him?—Sett Bhanabhaee wrote, in the first para. of his adjustment, of giving the younger Settanee Joitabaee one lack of rupees, and mentioned about which to 100 or 200 persons, which Joitabaee having heard, was very sorry; therefore, to sooth her, the elder Settanee Mahaluxmeebaee told the Settjee, that "every one's hopes are upon Purshotum, therefore you should place him on the lap of the younger Settanee Joitabaee, and consider her in doing this nothing of ours is spoilt;" accordingly, to satisfy the younger Settanee, Settjee coincided with her (Mahaluxmee's) wishes, and placed his son Purshotum on Joitabaee's lap; at that time myself, Settjee, his wife's parents, and the two Settanees, were seated together.

How long after the demise of Paruk Bechurbhaee did Settanee Joitabaee go to her parents' house?—After the demise of Settjee, Settanee Joitabaee was at home for about three or three and a half months; she one day, suddenly, at midnight, went to her parents; this I heard the next morning.

When the Settanee was delivered of a boy, who was it that came to you to give you the happy news, and what did you give the news-bearer as a reward?—Settanee, after going to her parents at midnight, was delivered of a boy; this I learnt the next morning from a person of Bhanabhaee's house, who came to acquaint me of the happy event; but the person's name I do not recollect, and neither did I reward him for it.

Settanee, after being blessed with the child, and the next morning, you having been acquainted with the happy event, did you send anybody of your house for ascertaining the truth of the news?—After hearing of the birth of Settanee's boy, as customary, my household persons (meaning wife) went to see him.

After Settanee was delivered of the boy, and the persons of your house having gone to see him, did they make inquiries concerning the truth of her having been so delivered, and after returning home, did they tell you anything regarding it?—In the above answer I wrote that they did go, but after returning told me that "Settanee Joitabaee was in the room, and at the door of that room Larbaee was seated, therefore we sat outside; upon asking the said Larbaee the state of the Settanee and the new born, she said that from last night the Settanee has been indisposed, but the child is quite well. Larbaee having said thus, we did not see the child, nor his mother." Thus they told me after returning home.

How many days before the Settjee's demise did she (Joitabaee) got the menses?—Seven or eight days previous to Settjee's demise she got the menses.

Settance Joitabaee writes, that "I was pregnant before my husband's demise, and that Baba Nafra knew of it;" did you know anything about it?—It was not customary with me to go amongst women, therefore I did not know; Settjee also never told me of her so being, nor did I hear of this from anybody else.

Subsequent to the demise of Settjee Joitabaee, whilst weeping and mourning, she said that she was pregnant of some days; did you hear of this?—I heard from somebody that the Settance said so, but did not hear it personally.

You have stated, in your above written answers, that you were ignorant of her being in the family way, and in the last one you state that you heard some one saying that Joitabaee had said, while weeping, that she was pregnant; then did you make inquiries regarding the truth of it?—Settanee Joitabaee being my mistress, and I servant, could not make inquiries of such things; but Mhaluxmeebaee, the elder Settanee, did make the inquiry, which is known to herself; I cannot speak anything upon this subject.

Did you, in secret, tell Settanee Joitabaee, and Bhanabhaee, her father, about opening the Jamdar Khana (Treasury) of Seetjee, and what reply did they make to you?—I never told Joitabaee and her father, in secret, about opening the Jamdar Khana,] and never was there an occasion for doing so.

Did you send from your house, or did anybody go from the Settjee's to the Settanee's, on the "Sustee Poonja day" (sixth day of the child's birth)?—On the day in question, goomastas of the Shetjee, and my son, went to the Settanee's.

You have stated above, that "I never heard that Settanee Joitabaee was in the family way, nor did the Settjee tell me;" and three or three and a half months after the Seetjee's demise,

demise, Joitabaee having got a son, how did you perform the "Sustee Poonja" and the "Barsa" days' ceremonies, and also the betrothment of the child?—Settanee having gone to her parents, and the next day having heard the "Kubur" of her getting the boy, suspicion struck me, but previous to this I was not assured of her being pregnant; and Settanee Joitabaee, being the widow of my master, Sett Bechurbhaee, was to me like a mother therefore it was not becoming on my part to make inquiries to ascertain the truth, or otherwise, of her being in the family way, but I acquainted the elder Settanee, Mahaluxmeebaee, concerning her state; she said it was not becoming for the people of the house to touch upon, such matters till there be proof to the effect of her undoubtedly not being so. On her having been delivered of a boy, had I not, as being authorized by Joitabaee, done everything what she required; if she would ask me the reason of disobeying her, what answer could I make? Thinking so, with the consent of the elder Settanee, I performed, as the occasion of the ceremonies required, whatever I was ordered.

Kartugvud 7, Sumvut 1904 (A.D. 29 November 1847).

(signed) *Wamonrow Venktesh.*

Question. Lulloo Bhugwan said that the elder Settanee Mahaluxmee told "me that Joitabaee's son was from Meetapoor, and that she had been hearing stories to this effect; therefore I should go to the above place to make inquiries regarding it;" then when the said Lulloo Bhugwan was sent to Metapoor, did he, or did Mahaluxmeebaee tell you concerning his trip?—Settanee Joitabee's son is from Meetapoor, in Sowlee, and there is rumour that he has been brought from there. The elder Settanee Mahaluxmee must have heard of it, therefore she consulted me regarding sending Lulloo Bhugwan to Sowlee; I told her she ought to do so, but secretly, and there being a rumour of the child having been brought from Meetapoor, it was necessary that inquiries be made; accordingly he was sent.

Did you send Lulloo Bhugwan with money to perform an intrigue regarding the boy, on pretension of his going to Oontria Mahdeo?—I did not send Lulloo Bhugwan, giving him money upon pretension of his going to Oontria Mahdeo; I have stated above that it was Mahaluxmeebaee that had sent him.

Did you, having brought persons from Meetapoor, through Lulloo Bhugwan, kept them in your garden for three days, and having previously instructed them, send them to the house of Bhanabhaee about the boy?—I am not acquainted of the Metapoor persons having come, nor where they lodged; they must have gone to the house of Bhanabhaee, and not having been paid there, came to the shop of Settjee, and because they were not paid, divulged the secret regarding the boy, and having said that Bhanabhaee has made out a paper, showed me the copy of it. I acquainted the elder Settanee Mahaluxmeebaee of the affair, and, with her permission, took the deposition of Kholie Rugoonath, and told him that I could not tell him anything at present regarding the payment till he would show me the original paper, and which should be brought within 15 or 20 days, during which time I would also make inquiries regarding it.

After the Meetapoor persons having departed, what investigation did you make?—From taking the deposition of Kholie Ruggoonath, it appeared that the boy was brought by the "Marfut" of Kollun Phoolee, therefore the said Kollun was sent for, and her deposition taken, from which, and the inquiry which Lulloo Bhugwan had made, that the child was from Meetapoor, I was convinced that Kholie Rugoonath's deposition was true, and that the boy was actually brought from him; the above I made known to the elder Settanee.

You have stated above that from the depositions of Kholie Ruggoonath and Kollun Phoolee you were assured that Meetapoor Khollie's son was brought, and that he had died; then did you make inquiry that the boy that was with Joitabaee, whose he was, and did you ask Settanee or Larbaee regarding the boy of Meetapoor Kholies?—From the depositions of Kholie Rugoonath and Khollun Phoolee I learnt that the boy that was brought from Meetapoor had died, therefore I was engaged in making inquiry regarding it, and sent word to Bhanabhaee, saying that the Meetapoor Kholies have come, and say that you brought their son, and that the "Nyat Valas" have assembled, and say "that such boy will not pass in their caste." I sent the above message by the requisition of the elder Settanee Mahaluxmeebaee, and the Nyat Valas, but Bhanabhaee and Larbaee did not come to the Settjee's, on account of which a rumour created in the town, that the elder Settanee said that the sepoys that are in attendance upon the boy should be brought back; accordingly the sepoys were sent for. A goomasta came and told me that Settanee Joitabaee's mother, Larbaee, goes late at night to Dadabhaee Havildar, of Amleara; therefore the said Dadabhaee was sent for, and I bid him sit at the shop, when Nurbheyram Bhatia came and told me that Bhudunbebee had sent him to say, that if I had to ask Dadabhaee anything I should do so, and not keep him sitting at the shop, and that he would tell all that was true; therefore, in the presence of Nurbheyram Bhatia, I asked the said Dadabhaee, when he told me that from Bhanabhaee's requisition, he had brought and given the son of Tullaveeya, of Ameleara; besides, he acquainted me divers things, therefore I took down his (Dadabhaee's) deposition; afterwards, having sent for Tullaveeya, his wife, and Tullaveeya Joria, and asking them regarding the boy, they told the same story as the above havildar; therefore their depositions were also taken down. From such inquiries I was assured that the boy was actually brought from Tullaveeya Dulleea, of Amleara, through the "Marfut" of Dadabhaee.

You state that the boy of Tullaveeya Dulleeya that was brought had been returned; was it brought to the knowledge of, or with the consent of, Joitabaee and Mahaluxmee; was he returned, and what did Joitabaee say at the time?—Ten or twelve days subsequent to the

taking of the depositions of Tullaveeya Dulleea and others, I sent two sepoys to the house of Bhanabhaee, acquainting him that the elder Settanee required him and his wife, Larbaee; when the sepoys delivered the said message Larbaee made use of many abusive words, and ventured to go out; then the sepoys gave her the "dhewye" of the Sirkar, yet, notwithstanding it, she went out. After this I sent two other sepoys, and told them not to allow Bhanabhaee and his son to leave their house, and they should keep proper "Bundobust." The above having come to the notice of the younger Settanee, called me in her presence, and said that she has heard that persons are kept as guards at the house of Bhanabhaee, her father, therefore she wanted to know for what purpose they were kept, and where did her mother go to, and what has happened with her; I answered her, that Tullaveeya Dulleea's son having been brought, has been publicly known, and that Tullaveeya Dulleea, his wife, and Tullaveeya Jhoria are all here, therefore a rumour is created in the whole town, and disgrace has come upon the house of Settanee, therefore what must be done now; I shall do as you authorize me; you are to me like a mother. Then the Settanee Joitabaee said that she had not got a son, and that her parents had told her that they have brought a boy through the Marfut of Dadabhaee Havildar, and she would listen to the advice I would show her, and that she ought to take care that she nor her house should be disgraced; upon which I told her all this can be avoided, provided she would follow my advice; she said, Agreed, and said she would do so. I further told her that the boy that is at Bhanabhaee's should be brought here. Joitabaee agreeing, sent Gunga to Bhanabaee's to bring the boy; a sepoy and a masal accompanied Gunga, who brought the boy with Khoosallee to the house of Settjee; the boy was with Khoosallee. I told the Settanee Joitabaee that she must inform the Sirkar regarding the affair of the boy, to which she agreed, and said it was good. I having told her that the night had far advanced, and that we could do so the next morning, left her. After having acquainted the above conversation to the elder Settanee I went home. The next morning having come to Settjee's, with the permission of the elder Settanee Mahaluxmee I went to Joitabaee's, and told her that she should write in her name to the Sirkar, to which the Settanee agreed, but she said that I must give in writing that 200 rupees will be paid annually for the support of her father, about which having consulted Mahaluxmeebaee, with her permission an agreement was written out in the name of Purshotumbaee, promising to pay Bhanabhaee 200 rupees annually; the said agreement was written by Bhugwan, and under which I signed the name of Purshotumbhaee, and made it over to Joitabaee. Having got a paper drawn out by Bhugwan in the name of the Sirkar, therefore, to write the name of Settanee Joitabaee, Duyashunker having been called, and the paper having been read in the presence of Joitabaee, Dheysayee asked Joitabaee should he sign for her; the Settanee said, to do so; accordingly Dheysayee signed the paper, on the side of which the Settanee made a mark; the Settanee delivering the paper to me to be given to the Sirkar, said, "You should give this paper to the Sirkar, and settle every thing;" at the same time taking the paper, having come to the Durbar, and having informed the Shreemunt Maharaj, delivered the paper, and took leave, and went home. When again, in the evening, having come to the Settjee's, Settanee Joitabaee called me, and when I went towards her she said that "a paper has already been given to the Sirkar: the boy that had been brought by the Marfut of Dadabhaee Havildar, you should ask him whose he is, and he will tell you; you should make proper inquiry about it, and return the boy to the person from whom he had been brought." Thus she having said, I answered her, that I will not ask Dadabhaee, and that she should call and ask him herself, to which she said, "He being a Mussulman, how can he come in this 'mundaree chajaga' (sacred place), and to go down to speak on such a subject is not becoming me." Then I answered her she should send a person of her confidence to Dadabhoy to ask him; Joitabaee then sent Punnee, a Boman woman, for the purpose, who, having gone down stairs, and having put him (Dadabhoy) on oaths of Koran, &c., told him that Joitabaee wished to know that the boy that was brought by Bhanabhaee's request, whose is he? Dadabhoy having taken oaths of Koran, &c., said that 100 rupees having been paid to Tullaveea Dulleea, his son has been brought; accordingly the Boman woman, what she learnt from Dadabhaee acquainted the Settanee. Settanee Joitabaee then told me that "I have made inquiry regarding the boy, and have found that Tullaveea Dulleea's son has been brought; this I learned from Dadabhoy, therefore this boy should be returned to Tullaveea Dulleea by the Marfut of Dadabhoy." The younger Settanee having told me the above, I acquainted the whole particulars to the elder Settanee Mahaluxmee, who said that the Sirkar should be acquainted with the affair. Accordingly I went and informed the Sirkar the affair, and told him that Joitabaee having committed such an abominable act has brought disgrace upon the respect of Hurree Bhugtee, and shame in the "Nyat" and "Jat," when the Sirkar said, giving a sigh to the respectability of Hurree Bhugtee, "Follow such a course as is usual in the Nyat." I having returned to the Settjee's, gave the boy in the hands of Khosullee "Dayeen" (wet-nurse), sent her, accompanied with goomasta Bhugwan, one or two sepoys, and Dadabhoy Havildar, to the Settjee's dhurrumsallas, where Tullaveea Dulleea and his wife were. At the time the boy was being returned to Tullaveea Dulleea, with the Marfut of Dadabhoy Havildar, the former said, "Having paid me 100 rupees, the boy was purchased, but now, as you are returning the boy, I have not the money to return, having expended the same; as I am an inhabitant of your village, if after some time the money will be demanded, from where am I to pay it? If I get proofs that the money will not be claimed, then I shall take the boy back." The above circumstances Bhugwan having acquainted Mahaluxmeebaee, she ordered me to go to the dhurumsalla, and convincing Tullaveea Dulleea that the money paid for the boy will not be claimed, and return the boy. Accordingly I went to, and having told Tullaveea Dulleea what the elder Settanee had said,

that

that not to retain suspicion of the money being claimed hereafter, I returned the boy; they, taking the boy, went to Amleeara without any delay.

You have stated above, that with permission of Joitabaee you returned the boy; then what is the reason of keeping guard (chowkee) at Bhanabhaee's?—Having learnt by inquiry that it was Bhanabhaee that had formed the intrigue regarding the boy, of which he was two or three times questioned, and did not return any answer; and as he had not rendered the accounts of the villages Amleeara and Puluswarra for three years, of which he was mehta; also as Larbhaee had decamped from the house, and fearing he would do the same, the guard was placed at his house.

What happened after the boy had been returned to Tullaveea Dulleea?—Tullaveea Dulleea having taken away the boy, kept him at his house for three or four days; subsequently it came to my notice that Larbaee had left her house, and it was she that had formed the cabal regarding the boy, and that she intended taking away the boy from the kolies to bring him forward, when an inquiry would be made about him; therefore on this consideration she kept the boy, together with her parents, in the house of Kandass Patell, that was vacant, and placed four sepoys at the door. In the month of Jest, when cholera was raging at Amleeara, and great many persons had died, the boy also, having got the cholera, died; the news of his death Runchore Dharasunya, of Amleeara, acquainted at the same time the present mehta; Hurjeewan, of Amleeara, having come from there, also gave out the same report. I went to the Durbar, and acquainted the Sirkar with the instance, and having given orders to the jemadar of the sepoys to perform the ceremonies of the boy's death, sent him to Amleeara.

After the boy had been returned by the permission of Joitabaee, was she kept at the house of Settjee like a prisoner?—Because Joitabaee had made the intrigue regarding the boy, possessed jewels, and was of a young age, therefore Mahaluxmee gave orders not to allow strangers visiting her; accordingly care was taken that no strangers should see her, but she was not treated like a prisoner.

Margsur Sood 2d, Sumvut 1904 (9 December 1847).

(signed) *Wamun Row Venktesh.*

No. 94.

TRANSLATE of the Statement of Settanee Mahaluxmeebaee, Elder Widow of Paruck Bechurbhaee Samul; made before Trimbuck Munchur and Bappoo Myral Shastree, upon oath, on Magsur Sood 3d, Sumvut 1904 (10 and 11 December 1847).

Question. WAS the younger Settanee enceinte before the death of Paruckbhaee Samul dass, and after his death were you both living together, and did you make any inquiry upon the subject of her being pregnant or otherwise?—*Answer.* Joitabaee Settanee was not enceinte previously to the Settjee's death, and before the Sett's death, seven or eight days before, she had her periodicals upon her, and for 13 or 14 days after the Settjee's death we two occupied the same room, and during this time Joitabaee, weeping, said that she was enceinte; whereupon doubts entered my mind regarding what she had said, and I sent for Moteeram Vyeed, and inquired of him what Joitabaee meant by what she had said, and that by her promulgating such, the respectability of the family would be involved, and I desired him to go to and advise her to cease making such a false statement; whereupon Moteeram Vyeed, having taken along with him Jhosee Treebhovun, went to and advised Joitee, when Joitee replied, that consequent upon her distress, she had said that she was enceinte, but promised to not say so for the future. This the Vyeed communicated to me. Afterwards, the same night, Joitabaee's mother, Ladbaee, had an interview with her daughter, and on that occasion, from what was concocted between them, Joitee commenced speaking contumaciously, but subsequent, upon the misery I was involved in owing to the death of my husband, and Joitee being my rival, I did not make any inquiry into the matter.

After the death of the Settjee, how long did the younger Settanee Joitabee continue here; and during her stay did you make any inquiry to satisfy yourself of her being pregnant?—Joitabaee, after the death of the Sett, continued here for about three or three and a half months, living in a separate room, and I never used to quit my room; and Joitabaee's conversation also was obscene, consequently, during the time of my mourning, how was I to institute any inquiry in the above matter. I was fully aware that Joita was not enceinte.

When did the younger Settanee remove to the house of her parents; and did she obtain your permission upon doing so?—About three or three and a half months after the Sett's death, at midnight, Joitabaee's mother, Ladbaee, came to the house, and who knows what she communicated to her daughter? And after Ladbaee had left, Joitabaee, without having obtained my permission, at midnight, having got into a paulkhee, went to her parents; wherefore no one became at the time aware of her having done so.

On that same night did any one come to give you the news of Joitabaee's accouchement after midnight?—Nobody had come, but the next day one of the persons who had accompanied Joitabaee to her parents came and informed me that it was rumoured that, after the Settanee had arrived at her father's, she was brought to bed of a son, from which, and the

rumour about in the city, I heard of it; but at that or the next day nobody came direct from Bhanabhaee's to apprize me of the fact.

Settanee Joitabaee had been brought to bed of a son, but you were aware that she had not been enceinte; then why did you celebrate the "Shestee Pooja" and "Bharsha" ceremonies?—I was in deep affliction consequent upon the death of the Sett; further, our family being much respected, and not possessing positive proofs of the spuriousness of the child, how was I to meet the subject; and further, Settanee Joitabaee and Bhannabhaee frequently sent to inquire whether I intended to celebrate the above ceremonies, or whether they should do so, on which account I considered if I sent to inform them that I would not celebrate the ceremonies, Joitabaee being my rival, it would lead to contentions; therefore, having no other alternative, the above two ceremonies, according to the times after the lapse of two months I, in an indifferent manner, observed.

Did Baba Nafra obtain your and Joitabaee Settanee's permission to open the treasury of the firm?—No; my permission was not obtained by him to open the treasury; but upon occasions when it was necessary to open and take anything from either the great treasury or the current treasury of the firm, Baba used to obtain my permission, and he used to seat himself at the door of the treasury, and cause them to be opened by Hurreebhaee, the treasurer, in the presence of the Poorbeeya and Konkney Jemadar's men, and caused the boxes to be brought outside of the treasury to him; and from them he used to take from them what was needed, and having made a memorandum of the sums taken out, he used to deposit the memorandum in the treasury, and come and advertise me of the same; this was the usual practice adopted by him after the death of the Settjee.

Dated Magsur Sood, Sumvut 1904 (10 December 1847).

Her × mark.
(signed) *Mahaluxmee*, in the hand-writing of
Paruck Vujjorbhaee Vancheedass.

Examination resumed.

Question. In the month of Bhadurwa, on the "Nolee nom" (19 September 1847), the caste were they so feasted?—*Answer.* I had doubts upon this subject it is true, but being in deep affliction, and further, not having been in possession of sufficient and substantial proofs of the spuriousness of the child, the caste were feasted in the same manner in which the Bharsha and other ceremonies had been observed.

Did you despatch Lulloo Bhugwan towards Sowlee, and if you did, state why and wherefore did you do so?—From the day on which Joitabaee was brought to bed of a son, I had my doubts upon the subject, but I had not sufficient proofs on the subject in Sumvut 1903 (A. D. 1847). In the month of Phalgoon (January and February), it was rumoured about in the city that Joitabaee had procured a spurious child from towards Sowlee, and this rumour had also come to my knowledge, and many persons even went so far as to say that the child had been procured from Metapoor; and from having heard the above rumour, I sent for Lulloo and informed him of the rumour current about Joitabaee's son, and desired him to go towards Sowlee, and try and possess himself of the real facts from the parties there who might be well acquainted with them; I cautioned him to conduct his inquiries in a quiet manner so that the respectability of the family might not be compromised, and having thus instructed him I despatched him off towards Sowlee.

Upon Lulloo Bhugwun's return from having made inquiries in the direction of Sowlee, what information did he furnish to you?—Upon Lulloo Bhugwun's return, he informed me that he had gone to Kusba Sowlee, and after staying there for a couple of days, that he fell in with one Purtab Burote, a great friend of his, and a person possessing much information of those parts, and that having taken him along with him, under the plea of going to Dhakore, that he left Sowlee, and that after crossing the river Mhyec, that he caused this Purtab Burote to take an oath, after which he informed him that he had something to communicate respecting the affairs of a great and respectable family, provided he would secretly make the inquiries; and that afterwards he informed the Burote that the younger widow of Paruck Bechurbhaee Samul, named Settanee Joitabaee, had procured a spurious child from the Metapoor village, and that a rumour to the above effect had been bruited about, and therefore, that he should proceed to Metapoor and the villages situated in its vicinity, and make inquiries regarding the truth or otherwise of such rumour, and, after doing so, return to Dhakore; and that he would in the meantime proceed and await his arrival there at Hurree Bhugtee's dhurumsalla, and that having so instructed the Burote that he sent the Burote into Metapoor, and that he himself proceeded to Dhakore, and that the Burote having gone and made inquiries at Metapoor, &c., joined him at Dhakore, and informed him that, from his inquiries, he had ascertained that the boy had been procured from a koolee of Meetapoor, named Ruggoonath, and that a rumour to the above effect was also bruited about at Metapoor; and that consequent upon the money agreed upon not having been given to the said kolee, that he had complained to the village thakoor, and a great uproar had taken place in the village about the giving away of this child, and that, agreeably to the above, Bharrote Purtab had come and faithfully informed him; therefore, from the above inquiries, it would appear that the boy had been procured from Kolee Roggoonath, of Metapoor. According to the above was the information communicated to me by Lulloo Bhugwun.

Did you cause a guard to be placed upon the house of Joitabaee's father, Bhanabhaee Khandass, and if you did, state wherefore?—The Meetapoor Kolee Ruggoonath and Thakore,

Thakore, and others, had gone to Bhanabhaee's house, and from thence they came to my house and said that Bhanabhaee had procured the son of the Kolee Ruggoonath through the instrumentality of Kollun Phoolee, and had passed a "leck" to Ruggoonath to pay annually to him the sum of 200 rupees annually for life, and of the above nature was the communication which he made to me; whereupon the deposition of Kolee Ruggoonath was taken, and subsequently that of Kollun Phoolee was also taken; and, from certain circumstances brought to light from the above depositions, we became satisfied that Bhanabhaee Khandass had intrigued and procured a spurious son for his daughter Joitabaee, and, for the perpetration of this atrocity, and his having not rendered in any account of the villages of Amleeara and Pullaswadda, over which he had been appointed mehta, for two or three years, for the adjustment of such account, and further, the spurious child also being in his possession, and his having (although in our employ for many years) thus disgraced and scandalized our family, I caused a guard of four sepoys to be placed over his house.

It would appear that you had placed Joitabaee Settanee, and caused the doors and windows of the apartments occupied by her to be barricaded with iron bars; and if you actually done so, you are required to explain wherefore?—Joitabaee's conduct was scandalous, which, if I were to particularize, it would appear to emanate from ill-will towards her; but of her having procured a spurious child from the Metapoor Kollee, and enacted the farce of being delivered, is well known to the whole city; and further, I also became perfectly satisfied of her guilt, and, considering that she had jewels, &c., at her command, and having acted with so much deception, it was necessary that strangers should* be allowed access to her, therefore was she placed under restraint; but she was not prevented going about the house, or to the temple.

* *S. O.*

Not heeding the "dwayee" of both the Sirkars which Bhannabhaee had given, it would appear that you had sent 25 or 30 persons, who forcibly broke open the door of Bhannabhaee's house, and brought away the boy?—Joitabaee having said that her father had caused this spurious child to be procured, and that she did not wish to retain him any longer, and requested that he might be sent for from her parents' house; thus did Joitabaee say to Baba, and he came and informed me of the same, when I told the Baba that Joitabaee should send her people to procure the child, whereupon Joitabaee sent Gunga, who was accompanied with a Mussaul and two or three other people, and Jemadar Seetaram accompanied her, with a couple of his men; I do not recollect the name of the Mussalchie; and thus did they proceed to the house of Bhanabhaee, and at night they returned with the boy and his nurse, Khooshallee; that night the child remained with his nurse, Khooshallee; thus did Joitabaee send people and bring the boy, and I never sent 25 or 30 people who broke open the door of Bhanabhaee's house, and forcibly entered it, and, heedless of the "dwaees" of both the governments, bring away the child.

The son of Joitabaee Settanee, Moteelal, had been given to a Tullaveeya of Amleeara, therefore you are required to state particularly why the child was so given away by you?—It having been established, from the depositions of Dadabhaee Havildar and others, that the parents of Joitabaee had procured a spurious child for her, and, upon Joitabaee being interrogated regarding it, she confessed that it was very well known she was neither enceinte nor accouched, and that she did not know from whom her parents had procured this spurious child, and referred me for information upon this point to her parents; and, further, she desired that I should act in the matter in such a way as to save her and the family from disgrace; thus did she confess to the Baba, and the Baba communicated the same to me, and advised that such steps should be taken in the matter as would save the exposure of the family unnecessarily; and Baba informed Joitabaee that if she declared all the particulars to the Sirkar, means would be adopted for its settlement, and further desired that she should send for the spurious child, who was with her parents, whereupon Joitabaee sent her own wet-nurse Gunga, a Mussal, &c.; and this Gunga having gone, returned with the child and his nurse, when Joitabaee desired that the child should not be brought in her presence, consequently he was kept outside of the room, and, as the night had far advanced, Baba said that the completion of the affair should be postponed till the next day; and, having acquainted me with all the particulars, Baba went home, and the next morning early he first came to me and then went to Joitabaee, who, upon seeing him, inquired what arrangements he intended making for the subsistence of her parents, and the Baba returned to me and said that she demanded the grant of a leck securing to her parents, as formerly, a stipend of 200 rupees annually for life. I agreed to this, and said that, although she had misbehaved herself, we should entertain no ill-will against her, and I ordered that this "leck" be prepared and given in Purshotumbhaee's name, after which, to take down the confession she had agreed to make in writing; whereupon Baba went, and, having caused Goomashta Bhugwan to write out the leck in the name of Purshotumbhaee, and Baba having signed thereto the name of Purshotumbhaee, he delivered this leck to Joitabaee Setanee, and, after the receipt of this "leck," Joitabaee caused her confession to be written out by the said Bhugwan for delivery to the Sirkar, and she got Desagee Dyashunker to sign her name thereupon, and, having put her mark to it, she delivered the same to the Baba, and this confession the Baba brought and read over and explained to me; and I desired Baba to deliver the leck and explain to the Sirkar all the particulars regarding this affair, and, agreeably to such instructions, Baba delivered the leck and explained all the particulars to the Sirkar, and returned to his home, and in the evening, when he attended at the firm, Joitabaee sent for and informed him that her parents, having procured the spurious child through the instrumentality of Dadee Meeya Havildar, that he should be sent for, and made upon oath to confess from whom the child had been procured,

and that, from inquiry, after having ascertained this point, he should be made to restore the child to his natural parents. Baba came and informed me of the above also, when I instructed him to institute such inquiry in the matter as suggested by Joitabaee my wishes.* Baba returned to Joitabaee and communicated to her; he further suggested to her that she should personally interrogate Dada Meeya upon the subject, when she answered, that how could a Mahomedan be admitted to the place where our gods were placed, and that if she went down stairs to make this inquiry it would not appear seemly, therefore requested that he should do so himself; upon which Baba suggested that she should send some of her people to do so, upon which she deputed Punnee Woman, who went down stairs, and having given Dada Meeya oaths, asked him, and Dada Meeya upon oath declared to her that he had procured the boy, at the instigation of Bhanabhaee, from one Duleeya, a Tullaveeya of Amleeara, paying 100 rupees, and, having said so, Punnee communicated it to Joitabaee, upon which Joitabaee desired Baba to send for the child's parents and restore the child to them through Dada Meeya Havildar. This Baba communicated to me, whereupon I desired him to first acquaint the Sirkar, and then return the boy to his parents. Agreeably to my orders, Baba informed the Sirkar, when the Sirkar ordered that the Baba should consult the caste in the matter, and then proceed as may be decided by the caste. This also the Baba came and intimated to me. Afterwards this boy was sent by the wet-nurse, Khooshallee, Bhugwun Goomashta, Dada Bhaee Havildar, and others, to the Sett's dhurumsalla, where the child's parents, Tullaveeya Dulleeya, &c., were; and in about half an hour afterwards the goomashta returned, and sent word to say that Tullaveeya Dulleeya urged that the 100 rupees which had been given to him he had expended, consequently, if the child was restored to him he had not it in his power to restore this sum of money, &c. Upon this I desired Baba to proceed to the dhurumsalla, and inform the Tullaveeya that the money had not been given to him by me, therefore neither would I receive it back; therefore, to not let this grieve him, but that he should receive back his son, and go away. Upon this Baba went to the dhurumsalla, satisfied the Tullaveeya, and restored to him his son through Dada Meeya Havildar, and the Tullaveeya, having received back his son, went away. This I learnt from Baba upon his return; therefore the parents of Joitabaee, Bhanabhaee, and his wife Ladbaee, having thus intrigued, procured the son of a kollee and scandalized the respectability of our family, and owing to which we are obliged to hold down our heads amongst the people of our caste; and the particulars of the above affair have been already submitted to the Sirkar in a former yad.

*S. C.

Dated Magsur Sood 4th, Sumvut 1904 (11 December 1847).

(signed) *Settanee Maluxmeebaee*, × her mark,
In the handwriting of Wujjor Bhaee Vanchaedass.

No. 95.

TRANSLATE of a Yad from Settannee Maha Luxamee, Widow of Parruck Bachur Samul, dated Shrovun Wud 11th, S. 1903 (5 September 1847).

THE Sirkar having sent for our moonim goomasta, and inquired of him regarding the complaint made by Joetabaee Settannee about the abduction of her son, he informed me of the same; and the particulars regarding the above affair I beg to now submit, which are as follows, viz.:—

My "Sonk" Joita, at the time of my husband's death, was not enceinte, and she, upon no occasion, said that she had been; month after month she used to have her periodicals, and if she had really been enceinte, it is customary amongst us to perform certain ceremonies at the end of the first month of a female being so; these ceremonies would have been performed, which was not the case; and further, for a year before the Sett's death, he had been unwell, and for seven or eight months before his death, without assistance he could not even move or sit up, and this is well known to everybody; and the Settjee, taking into consideration his precarious state of health, made out his will, and in one paragraph of such will, provision is made on account of Joita, and copy of which had been in the month of Phalgoon, S. 1903 (February 1847), submitted to the Sirkar, and from the perusal of which the Sirkar may have become informed on the subject. The Settjee, in his will, thus provided for Joitabaee, and at the same time he informed her of his having done so; whereupon Joitabaee said, "to induce confidence to exist between us, with your own hands place Purshotumbhaee upon my lap;" upon this, Settjee became angry with her, and inquired what were her reasons for making such a request, when I answered, "What objection is there, because the whole of our hopes are centered upon Purshotum." Wherefore the Set, with his own hands, placed Purshotumbhaee upon Joitabaee's lap. At this time my father, Vuzzoobhaee, and Joita's father, Bannabhaee, and my mother, and Joita's mother, and Baba and other goomastas and ashreets, and Moteeram Wyde, were all present; and the above having transpired in their presence, about three or four and a half months after the Settjee's death, on Magsur Vud 8th, Monday, S. 1902 (22 December 1845) this farce about the Settanee Joitabaee's accouchment was enacted. About midnight of this night, Joitabaee Settannee, without informing me, went out, and the next morning it was published that on that night she had been delivered of a son; upon which I was in deep consideration about what had been done, and I feared that if I said anything about the imposition which was being enacted, that it would be detrimental to the interests of the firm if the Sirkar interfered in the matter. For the above reason I remained silent, and the Barsa (12 days), &c. ceremonies.

monies were performed in a plain way, and bore no enmity towards her on account of her being my " sonk," but from that day amongst the people the rumour got about that Joitabaee had not been delivered of a son, and the child she passed off as hers was spurious, &c.; this came to my ears; when I reflected, and consoled myself that what was to happen would transpire; after which, about 12 or 13 months, a kollee, named Ruggoonath Wuttoo, from the village of Meetapoor, came to Baroda; and, in consequence of having obtained his son the leckh given to him by Joitabaee's father, Bannabhaee, he showed; upon which an investigation was instituted, when it was acertained that the boy having died from small-pox, through Dada Meya Havildar, another boy was procured and brought from Amleeyara; and that in this business Bannabhaee, the father of Joitabaee, and Dada Meya were concerned; this became known: upon which I questioned Joitabaee upon the subject secretly, and bid her not to bring discredit upon the family, but discover the truth as it may have transpired; and being thus spoken to, she became abashed, and said, " You know very well that I never was pregnant, therefore why question me? you should question my parents, by whose advice this affair has been brought about." Upon this, I sent for her mother, for the purpose of questioning her upon this subject; but she did not come, but abused the party who had gone to call her; and, after having done so, she ran away from her house, and secreted herself somewhere else in the city. I then sent for, and questioned Joita's father, who also answered me roughly; for which reason four sepoys were placed as a guard upon his house, because Bannabhaee is a servant of the firm of my late husband; and further, Joitabaee had left her jewels at her father's house, which were being sold, and with the proceeds of which these plots were being created; and it further had been discovered that the plot about the spurious child had been brought about for their own interest by Laeedbaee and Bannabhaee, who also tutored their daughter, Joitabaee, and persuaded her to become a party to it; thus had it been discovered; but this being an affair about our caste, and private, the Setts of the caste sent for him to the shop, and the whole of them spoke to him about it; and further added that it would not be proper to permit this spurious boy to continue in the family, because the story about this spurious boy had been published all over the city; and that such rumour had become substantiated before them as the truth, and therefore arrangements should be made about the boy, otherwise the caste would be induced to take more serious notice about this affair. After this, the boy who, it had been ascertained, had been procured from a Tullaveeya, of Amleeara, was delivered to the same Tullaveeya, and the boy and his parents were placed under a guard at the village of Amleeyara; and Laeedbaee having run away, for the purpose of preventing her from proceeding and making any disturbance, where the boy had been located, five sepahees were stationed there; and subsequently, the cholera having broken out in the village, the boy took it, and died on Jest Sood 2d, S. 1903 (14 June 1847); and the same becoming known here, Mehta Hurjeevun was despatched to satisfy himself of the truth of the same; he returned, and confirmed the same. The above transpired with reference to this boy, which is written for the information of the Sirkar; and amongst the people of my caste, and members of my family, this affair has been to me worse than death; but having no other alternative, my parents are the Sirkar, and my late husband had placed my son, Purshotumbaee under the Sirkar's protection, therefore the Sirkar should look favourably upon him. And the proceedings of Joitabaee is such, that if she joins her mother, Laeedbaee, who is a very treacherous person, they will ruin the affairs of the firm, which to do is their intention; and when I point out the impropriety of her behaviour to Joitabaee (we being " souks"), disputes occur; but upon investigating the above particulars, it will appear that her pregnancy, &c., were all a pretence, and which would have been placed beyond all doubt had I at the time got females to examine her; but I was prevented doing so, with the view of avoiding exposure; but when this affair became publicly talked of, then only did I cause an investigation to be instituted. There is no difference in what is above stated. S. O.

(signed) *Settannee Maha Luxamee*, by Vuggoobhaee Vuchdass.

No. 96.

TRANSLATION of the Deposition of Seetaram Gopalsing; Religion, Hindoo; Caste, Rajpoot; aged about 38 years; Occupation, Service; Inhabitant of Adjoda, at present in the employ of Hurree Bugtee, as a Jemadar; taken upon oath at the Durbar, on Magsur Vud 3d, Sumvut 1904 (24 December 1847).

Question. ONE day you were sent from Parick Hurree Bugtee to the house of Bhanabhaee for the purpose of bringing away the son of Joitabaee Settannee Motelall; and you are required to state, if you had been so sent, who sent you, and who accompanied you there, and all the particulars which may have transpired on that occasion?—*Answer.* It had been rumoured about this city that Joitabaee, the widow of Sett Betcherbaee, had procured the son of a kollee; and, upon being inquired into, it was ascertained that the boy was the son of a kollee, of Amleeara; and afterwards, one night, about nine o'clock, Joitabaee Settanee sent for, and desired me to accompany Gunga woman to the house of Bhanabhaee, and bring away from thence her son, Moteelall; thereupon myself and a couple of my men, Thackoor Sing and Anjonda Pursad, and the Mussalchee Dama, accompanied Gunga woman to the house of Bhanabaee, and having arrived there, myself and Marattan Ghungo went

went up stairs, and the Mussalchee and the sepoys remained down stairs; and as we went up stairs we saw Bhanabaee and the wet nurse, Kooshallee, there seated; and Gunga said to them that she had been sent by the Settannee to bring away Moteelall; upon this, Bhanabaee said to Kooshallee, the wet nurse, since Joitabaee Settanee had sent for the boy to take him to her; and upon this, Kooshallee took up the child, and came down stairs; after which the torch was lighted, and the whole of us left together; upon our return, at this time, Bhugwan Mujmoordar also arrived there; he also returned with us to the Sett's house. On the road the child was carried alternately by Gunga and the nurse, and thus did we come to the Sett's house. I accompanied them as far as the Tumma; afterwards Kooshallee and Gunga conveyed the boy up stairs, and myself and the sepahees came down stairs. This is all that transpired, and I have deposed to.

When you had gone to bring the child from Bhanabaee's, did you break open the door of a room to get out the child to bring him away?—No; I broke open no doors, and Gunga had been sent by Joitabaee Settanee, and Gunga delivered to Bhanabaee a message from Joitabaee there. What necessity existed for breaking open any doors? Gunga being considered as a confidential servant of the Settanee Bhanabaee, permitted the child to be taken away.

You state above, that yourself and a couple of your men had gone to Bhanabaee's, for the purpose of bringing away the boy Mooteelall; therefore, you are required to state whether any other sepahees or persons, excepting those mentioned, accompanied you upon that occasion?—There were no other sepahees with me, excepting two of my own men.

Dated

(signed) *Jemadar Seetaram Gopal Sing* × mark.

Attesting witnesses,
(signed) Sepahees Davie Sing, Pucktawer Sing,
in his own handwriting.

No. 97.

TRANSLATE of the Deposition of Mooteeram Neetheeyamind; Religion, Hindoo; Caste, Oodich Tolkeeya Brahmin; aged about 60 years; Occupation, Doctor; Inhabitant of Baroda; taken at the Durbar, upon oath, on the 12th Bhadhurwa, and Sumvut 1904 (24 September 1848).

Question. IT would appear that during the illness of Betcherbaee, of the firm of Hurree Bugtee, that you used to be in constant attendance upon him; therefore, at that time, did you hear of the younger Settanee Joitabaee being enceinte, and you are required to state all the particulars which you may be aware of regarding the Settanee being delivered of a son?—*Answer.* I used to constantly frequent the house of the Sett Betcherbaee; and when he was taken ill, I used to be there constantly, when one day he had a fit, and became greatly agitated; at this time I was asleep in the Bawajee's mundeer, at the Sett's house; and when the Sett became much troubled, they were looking for me; and so soon I became aware of it, I went to the Sett, when I saw him breathing with much difficulty, and much oppressed; the Sett asked me to give him some medicine, whereupon I procured some medicine from the Sett's house, rubbed it down, and administered to the Sett; after taking this medicine, he appeared to be much relieved; then he desired that Dulput Kessondass, the goomasta, should be sent for, and when the goomasta attended, the other goomastas, who were sleeping up stairs, also assembled near the Sett, when the Sett got a memo. drawn up, by Dulput, of the sums to be given away in charity at the various temples; and at the time he also said, verbally, that the younger Settanee should get one lack of rupees, which should remain deposited at the firm; and after he had said so, a dose of medicine was again administered to him, which revived him as before took place; about break of day, when Baba Nafra also arrived, to whom the Sett, after giving a number of oaths, cautioned him against acting with duplicity towards his son Purshotumbaee; and after saying so, he delivered the charge of all his affairs to the Baba, as also the keys of the firm; and after the break of day, the Settjee bathed, and distributed grain, cows, &c. in charity; after this, there being a number of people about the Sett, he desired me to disperse them, which I did; after which the Sett called Baba, and remained alone with him, conversing for about a couple or three hours, and settled all about his household affairs; and after having done so, the same day, about four o'clock, P. M., Gopral Myral had called to see the Sett, when the Sett, having informed him of his having arranged about his affairs, confided his son, Purshotumbaee, to his protection, and said that he did so consequent upon the length of time they had been intimate; and he further remarked, that this was his intention should the Sirkar and Sett come to see him, to place the boy under the Sirkar's guardianship. After the above conversation, Gopalrao Myral left; and about half-past five o'clock in the evening, the Sirkar came to see the Sett, when the Sirkar inquired of me about the state of the Setjee's health, and I informed the Sirkar all about it; after which the Sett made his son over to the guardianship of the Sirkar; and after soliciting the Sirkar's protection to his son, he informed the Sirkar of his having intrusted the management of his affairs, and the keys of the firm to Baba, and requested the Sirkar's protection towards the Baba; the Sirkar promised compliance with his request, and left the house; after this, one day Settanee Joitabaee came to me, whilst I was engaged in performing pooja at the temple, and said, "How is it that the Setjee only left me

one

one lack of rupees; of what service will this amount be of to me?" and further requested me to intercede on her behalf with the Setjee; whereupon one day, when I had an opportunity, inquired of the Settjee how it was he had only bequeathed to Joitabaee Settanee only one lack of rupees, and requested that this amount be increased, when the Settjee replied that she should only get one lack of rupees, and that this sum also should remain deposited in the firm, and the interest thereon be appropriated for the disbursement of such expenses as may be incurred on account of pilgrimage, &c., and that such expenses should be regulated by the advice of four persons duly named to do so. And five or six days after the above conversation, the Settanee Joitabaee having had her courses upon her, used to sit at the door of the room, whereupon the Sett desired me to advise her to quit the place, and remain in the upper storey of the house till she became clean, because her sitting at the door of his apartment, in her defiled state, caused the parties who would come to see him to become polluted, whereupon I tried to persuade her, but she, not heeding my advice, continued occupying the same place; and a couple of days after her purification, the Settanee Joitabaee commenced disputing about being left only one lack of rupees, and she informed the Sett that if he intended making any provision for her, he should place his son Purshotum in her lap, and thus constitute her the boy's adoptive mother; this vexed the Sett, and he asked her what was she talking about? At this time the elder Settanee Mahaluxmeebaee being present, observed that everybody's hopes were centered in Purshotum, therefore it would be well to permit Joitabaee Settanee becoming his adoptive mother; upon this observation, the Settjee placed the boy Purshotumbaee in the lap of Joitabaee Settanee; and one or two days after, thus having indulged the younger Settanee, the Settjee became dangerously ill; and when he was removed to the old house, I went to him, and caused charity to be distributed; at this time the Settanee Joitabaee was taken with pains in her stomach, owing to which she went into her room, and commenced crying; thereupon I went to her, and inquired whereabouts in her stomach she felt pain; the Settanee permitted me to examine her stomach, and I pressed it in three or four different places; after which I administered to her about one-eighth of a seer of the essence of ujivine (bishop's weed) seed which had been extracted for the Settjee; in the meantime, the Settjee became speechless, and about midnight of the same day he died; after the Settjee's death, I returned to my home; and afterwards, whilst lamenting, the Joitabaee Settanee publicly declared that she was enceinte, consequent upon which it became circulated all over the city, wherefore the elder Settanee Mahaluxmeebaee sent for, and requested me, as I was old, to advise her in anything she might do wrong; and that Joitabaee, in many ways, promulgating that she was with the child; but as such a falsehood was calculated to disgrace the Sett's name, she requested me to advise and persuade the Settanee against circulating such a fault untruth; and owing to this, I went to Settanee Joitabaee; but as I entertained some doubts about going alone, I got Jossee Tree Bhowun to accompany me there; and the Settanee commenced conversing with us from behind a screen, when I said to her, "Recently you have had your periodicals upon you, then how is it that you say that you are enceinte, and by whose advice have you circulated such a falsehood? but your doing so is only calculated to disgrace the name of the Sett, and scandalize the respectability of the family of Hurree Bugtee;" to this the Settanee replied that she had said that she was enceinte, owing to the distress she was at the time in, but promised for the future not to again do so; this I communicated to the elder Settanee Mahaluxmeebaee, and returned to my home; three or four months afterwards I heard that Settanee Joitabaee was delivered of a son; and about a month after, having heard this, Settanee Joitabaee sent for me to her father's house, and upon my arrival she showed me the child, who was named Moteelal; upon seeing the child, I had my doubts, but consequently upon it being connected with the affairs of a great family, I did not give vent to them; I remained there for about half an hour, and then returned to my home. This is all that I know regarding this affair. *S. O.*

You state above, that Paruck Betcherbaee had been for a long time ailing, therefore you are required to state from what complaint he was suffering?—The Settjee was suffering from impotency, which was to him a source of much regret, and he was daily wasting away.

The Settjee, being afflicted with the above disease, used you to administer any medicine to me for it?—Yes, for the cure of this disease I applied an external application for five or seven days to his privates, and also gave him internal medicines, but they failed in curing him, consequently the Settjee got others to prescribe for him; but I used constantly to go to ascertain the state of his health.

You state above, that the day preceding the night in which the Settjee died, the Settanee Joitabaee was suffering from pains in her stomach, and that you examined her stomach, and administered ujivine, *i. e.* bishop's weed seed essence to her, therefore you are asked whether at that time you had any suspicion of the Settanee Joitabaee being enceinte?—When the Settanee was suffering from pains in her stomach I went to her, felt her pulse, and examined her stomach by pressing it in several places; and it not occurring to me that she was enceinte, I administered to her the essence of ujivine seeds.

(signed) *Moteeram Vyud.*
(In his own handwriting.)

No. 98.

TRANSLATION of a Deposition made on oath by Jurbhovan Khan Jossee, by Caste Brahmin Mond Chachur Vedee; aged about 57 years; Inhabitant of Baroda; Profession, Mendicant, and Warshiper of Bellajee "Mundeer," Temple of Hurree Bhugtee; on Bhadurva Vud, 13 Sumvut 1904 (25 September 1848).

Question. MOTEERAM VYUD was sent to Joitabaee Settanee by Mahluxmeebaee, after the death of Betchurbhaee; state whether you accompanied him, and, if so, what conversations were held between them, and what did you speak there?—*Answer.* Joita Settanee having, while lamenting for the death of Bechurbaee, said that she was pregnant, Mahluxmeebaee desired Moteeram Vyeed to go and reprove her for saying so. He took me with him to Joitabaee Settanee's, [who was sitting inside a check, and told her that prior to the Sett's death she had her menses; and how did she say, after his death, while lamenting that she was in the family way, that such things would bring disgrace upon her house, and that on inquiry it would ultimately prove false, and give a nickname to the Sett, to which Joitie Settanee replied, that she would never speak any more on the subject. This we communicated to Mahluxmeebaee on our return.

You say, Moteeram Vyd asked Joiti Settanee that, how did she become pregnant since she had her monthly course just before the Sett's death; state whether you know anything about her being menstrous?—About seven or eight days before the Sett's death I saw Joiti Settanee sitting apart, in consequence of her having had her menses.

(signed) *Jurbhowon Kahn Josee.*]

No. 99.

TRANSLATION of a Deposition of Desaye Dyashunker Nurbaram; Religion, Hindoo; Caste, Oodeick Shastre Brahmin; aged about 60 years; Occupation, Desaye of the Baroda Purgunah; Inhabitant of the City of Baroda; taken at the Durbar upon oath, on the 12th Bhadurwa Vud, Sunwut 1904 (24 September 1848).

Question. AT the house of Parrick Hurreebucktee the younger widow of Sett Bhachurbhee Joitabace Settanee wrote out a leck in the Sirkar's name, and if you be aware of her having done so, you are required to state who she got to sign her name to it, and any further particulars connected with it which you may be aware of?—*Answer.* I have an account with the firm of Hurreebucktee, consequently frequently there. One day, about the month of Chytre, of Sunwut 1903 (March and April 1847), the exact day and date I do not recollect, as usual I went there about eight o'clock A. M., and whilst seated in the firm I was sent for to the private apartments of Joietabee Settanee, where the Settanee, Baba Nafra, Bhugwan Goomasta and others were assembled; then the Settanee caused this leck to be written out, and she requested me to write her name to it; upon this I desired Bhugwan to read and explain the contents of the leck to the Settanee, which he having done at her desire, I traced thereon her signature, and when I had done so, the Settanee desired me to trace upon it the figure 1; to this I replied, the figure 1 was not appropriate for the mark of a female, but that of a cross, upon which the Settanee traced a cross upon the leck with her own hand; after which, I suggested that the leck should be further attested, upon which the Settannee said, insert the name of "Shree Runchorjee" as the attesting witness, whereupon with my own hand I wrote it; this leck the Settannee took, and delivered with her own hands to Baba Nafra, and desired him to take and deliver it to the Sirkar; after this I returned to my home; this is all that I know about the affair.

You are required to make known the contents of the leck, upon which, at the desire of the Settannee, you traced her signature with your own hand, as also the conversation which passed between the Baee and Baba?—In this leck what the Settannee caused to be written I at present do not, word for word, recollect; but it was to the following purport, *i. e.* "My father desired Dadabhaee, the Amleeyara Havildar, to procure the boy, and Dada Meya did so; therefore, as I am not desirous of keeping this boy with me any longer, the same should be brought to the knowledge of the Sirkar, and the boy restored to the parties from whom he had been procured;" something like the above was written in the "leck," and the "baee" also verbally communicated something similar to the above to me.

The leck produced before the Sirkar is at present shown to you, which inspect, and declare whether it be the same as the one referred to by you above, and upon which the signature of the Settannee obtains in your handwriting?—The leck shown to me I have inspected, and declared to be the same as the one which had been written on the 5th Chytursood, Sumwut 1903 (19 March 1847), and the signature of the Settannee, and the name of the attesting witness, "Shree Ranchorejee," I recognize as in my own handwriting; and further, I recollect that the Settannee at the time declared her aversion to even seeing the boy, and expressed her desire that he should be kept out of her sight, and returned to the parties from whom he had been procured, and the same night Baba Nafra, &c. took and delivered the boy to the Amlee Yara Tullaveeyas, who were located in the Sett Hurreebucktee's garden; this I have learnt.

Did you ever see this boy, Moteelall; and if you did, were any pock-marks perceptible upon his person?—I had seen this boy frequently at the Sett's house, and at the "Mundhur," an

other

other places, where Bhannabhaee used to bring him for the "dursun" of the gods, but there were no pock-marks visible upon his person.

Did you ever hear that this Moteelall, the son of Joietabaee, had the small-pox?—This boy, Moteelall, had had the small-pox in either the month of Magh or Shalgoon, of Sumvut 1902 (February or March of 1846), at which time I had gone to the house of Bhannabhaee to get a chit to procure carts free, and saw Bannabhaee, Ladbaee, and Joietabaee seated up stairs in the back story; and I also seated myself with them, and inquired how Moteelall was getting on with the small-pox, and Ladbaee informed me that Moteelall had many pustules come out upon him, and that there was not even so much place left as to place a grain of till upon, and the kindness of the gods alone could restore the boy to them; upon this I went to the boy, Moteelall, and from a little distance saw him covered all over with the small-pox; then I said that the Sett's charity was very extensive, and, therefore, that the boy would recover, and advised them against entertaining fears about the boy; after thus consoling them, having obtained the chit for the carts, I came away; thus did I see the boy with the small-pox.

It would appear that this boy, Moteelall, had the small-pox very badly; that you witnessed the same with your own eyes; and you have stated above that you had frequently seen the boy at the Sett's house, and at the "Mundeir" and "Baituck," when brought there, and that you did not observe the mark of a single pustule upon his person; therefore, you are required to state what you may have thought about it?—Having seen this boy, Moteelall, in his infancy with small-pox at Bhannabhaee's house, and, upon his being two or three months afterwards taken about to the Sett's house, and at the "Mundier" and "Baituck," seeing no marks upon his person, I entertained doubts, and considered it very strange that the boy, Moteelall, should not have any marks upon his person after having had the small-pox so very severe; but the name of a great family being concerned, I said nothing; but when it was rumoured about that Joutabaee Settannee had procured the son of a Tullaveeya, and afterwards, when the leck was written and given to the Sirkar, and the Settannee requested that the boy might be restored to his real parents, my doubts realized.

Dated Bhadurwa Vud 12th, Sunwut 1904 (24 September 1848).

(signed) *Desaye Dyashunker Nurbaram.*
(In his own handwriting.)

No. 100.

TRANSLATION of the Deposition of Vahmun Row Venktesh; Caste, Duxnee Brahmin; aged about 60 years; Profession, Moonim of Hurreebhugtee's Firm; Inhabitant of Baroda, at the Durbar, Shravun Sood 11th, Sunwut 1906 (Sunday, 18 August 1850).

Question. IN the case of the son of Joitabaee Settannee, widow of the late Betchur Samul, did you send Lulloo Bhugwan to bribe and persuade coolie Bugnath, of Meetha Poora, and his wife to become the boy's false parents, and fabricate a document in the name of Joite Settannee's father, Bhana, promising to pay Rugnath 200 rupees every year on account of the boy, which was sent to him (Bhana) with Rugnath, and subsequently taken back?—*Answer.* I know nothing about getting up the false parents, or about giving them the fabricated document; the origin of the case is as follows:—About seven or eight days before the death of Sett Betchurbhaee, Joiti Settannee was menstrous. She having no issue, the Sett assigned a certain sum for her in his dying will; Sett died on Bhadurwa Sood 2d, of Sumvut 1901 (3 September 1845), and in the month of Margsier Vud, of Sumvut 1902 (December 1845), Joiti Settannee made known the fact of the boy's birth; on hearing which, I went, as usual, to his late Highness the Mahraj, and informed him of it, because the Sett had spoken everything for Pursotumbhaee in Mahraj's presence when he had come to see the Sett while he was sick; the will was also then seen by the Mahraj, and he was at the same time informed of Joitibee's not being then pregnant. The Mahraj, having thus doubted the boy's birth, ordered me to inquire into the matter, which I communicated to Mahluxmibaee's father, Pujoobhaee, who made further inquiries, but nothing was elicited. All the people having suspicion about it, inquiries were going on. Joite Settanee wanted to have the "barse" (ceremony performed on the 12th day of a child's birth) made quickly, but it was delayed, and everybody was engaged in making proper inquiries about the child's birth, but as nothing was found out, Joiti Settannee got the "barsa" ceremony performed. The exact date is not known, but one day in winter of Sumvut 1903 (A. D. 1847), Lulloo Bhugwan told me that the person from whom Joite Settannee has taken the boy was discovered, upon which I desired him to go and ascertain who the boy's real parents were. He went, and after seven or eight days returned, saying that a clue of the boy's parents was found out, but 15,000 rupees will be required to be expended to effect the consummation of the case; of this I informed the late Mahraj, and as he ordered particular inquiries, I asked Lulloo to tell me the whole truth, upon which Lulloo said that the boy's parents were of the village of Meetapoor, purgunna Neriad, and they would be coming up, as he has told them. The whole matter was made known to Mahlaxmeebaee. One day, while I and other Bunians, &c., about 15 or 20 in number, were sitting at Hurreebhugtee's shop, the Meetapoor coolies came, and said in presence of us all, that "our boy was taken for Joito Settanee,

but the money agreed on in the writing passed to us is not yet paid;" upon this, I paid them 200 rupees or thereabout, took the writing back, and also an acquittance from them. Lulloo Bhugwan took 15,000 rupees for the expense, as entered in the firm accounts. I never met or spoke with the Meetapoor coolies prior to their coming to the shop with the writing; whether they are the real parents of the boy or not, I know not; Lulloo must know that. They took the money from me by alleging that they were the legal parents of the boy.

Since Lulloo Bhugwan had found out the real parents from Metapoor, what made you give 15,000 rupees: did you then make proper inquiries about them?— Because Mahluxmeebaee was very anxious to find out the real facts; Lulloo said he would never give correct information without giving him 15,000 rupees, and the parents who were found out belonged to the Company Sirkar's Pergunna; had they been Guikwar subjects, inquiries would have been made at his Highness' consent. The money was paid upon Lulloo's responsibility, for he said these people were the boy's legal parents.

Did you ascertain from the Meetapoor coolies who had come, or from Lulloo, the legality of the boy's parents, and, if so, in what manner?—I had no acquaintance with those coolies, but Lulloo had brought them, and said that they were the parents of the boy who was brought first, and after whose death another boy was brought from somebody; upon which I had told Lulloo that the money would be paid on his proving all this before the Sirkar.

Did you inquire and ascertain from any other person than Lulloo the legality of the parents of both of Joite Settanee's Amliara and Meetapoora boys, or whether you were assured of it only by Lulloo; if you did make the inquiry state in what manner it was made?—Lulloo assured me of the facts of the Meetapoora boy with which he was acquainted; he knows nothing about the Amliara boy's affairs.

The money was agreed to be paid to Lulloo on his proving every thing before the Sirkar; state whether the payment was made before or after the fact was thus proved?—The money was paid after the fact of the Meetapoora boy was proved by the depositions taken before the Sirkar; I imagine so, but the chopras would elucidate this point more clearly.

Was there any one present when Lulloo Bhugwan assured you of the Meetapoora boy's parents' legality on two different occasions?—This being a delicate matter the presence of others was not allowed; yet I do not perfectly recollect whether there was anybody present or not, as it is a story of many days.

Shravun Vud 15, Sunvut 1906 (Friday, 6 September 1850).

[*Question.* In answer to the first of the above questions you stated, that his Highness the late Mahraj expressed his surprise when he heard of the birth of Joiti Settannee's boy, and desired you to institute inquiries about it; state whether you made any inquiries, and if so, in what manner?—*Answer.* The late Mahraj having advised me not to expose myself, but have the inquiries made through Vujoobhaee, I told the latter to do it, and to expend as far as 5,000 rupees if required to effect the object in view; the inquiries were accordingly made by Vujoobhaee, but, as nothing of consequence was elicited, the Mahraj had come to commemorate the "barsa," but the Resident] did not. On being asked, the Mahraj, said, "they may create a row if the 'barsa' ceremony was not performed, and therefore it should be done, for it would do no harm, as the son of the Rajpeempla Rajah was proved false after 15 years."

Did you inquire whether the boy was suckled by his mother Joite, or by a wet nurse after his birth?—I had heard that the boy was suckled by the Settanee's relatives and others first, and a wet nurse was employed afterwards.

Who did you hear this from?—I do not now recollect the name of the person from whom I had heard it, but every body was telling so. For the wet nurse there is a "dakhla" proof in the accounts of the firm by which she was paid.

How did you satisfy yourself as to the boy was not brought forth by Joite Settanee, [but was brought from Meetapoor or Amliura?—I knew nothing of this before, but after the Meetapoor people coming here, I heard that Dada Meea Havildar was running here and there, and that Ludbaee was going to his house, upon which I caused Dadameea to be apprehended and confined; till three or four days he made no confession. Nurbha Bhatia afterwards interposed in the matter, whom I sent to Dada with a peon; he then confessed that the boy was brought by him from Tullavia Dulla, of Amliara; Dullia and his wife were brought and kept in Hurrebhugtee's dhurumsulla here for about 14 or 15 days. They both, immediately on their arrival, admitted that the boy was theirs, and that they had given him to Dada; Joite Settanee afterwards called me and said that this matter looks disgraceful among the caste people, so the boy should be given back to his parents, to which I answered that it can be done if she pass a writing to that effect to the Sirkar, which she promised to do; a writing was accordingly drawn up in her name by Bhugwan, attested by Dyasunker Dessaee, and marked by the Settanee herself; a writing was taken from me also, purporting to pay Bhanabhaee 200 rupees every year; it was given to the Sirkar. The Sirkar, after inquiries, became convinced of the legality of the boy's parents, and ordered he should be given back. The Settanee afterwards remonstrated that he should be returned after making proper inquiries of his parents, and said that she, knowing nothing, Dada Havildar should be asked about the matter; I intended to ask Dada, in her presence, but as she was lying in the upper story of a "mundir" (temple), Dada Meea could not go there, and she being ashamed to come down, sent Punny woman to ascertain, on oath, from Dada Meea, the

names of the boy's parents, and desired to return and tell her the result. Punnee woman returned, and said that Dada Meea told her that the boy was Dullia's. This the Settanee communicated to me; and I, after informing Mahluxmeebaee of it, sent the boy into the dhurumsulla, where Dullia, &c. were.

Who were present when Joiti Settanee told you that the boy not being her own, should be returned after consulting Dada Havildar?—Bhugwan Bhownidass Punnee, one or two Coombee women, whose names I do not recollect, and some sepoys.

Whose sepoys were they and what were their names?—I do not now recollect that; but at the time of returning the boy, Seetaram Jemedar, servant, Hurreea and others, were present.

Who did take off from the boy's hand the wristlet and other ornaments?—Wissownath Sonee did it in presence of Bhugwun and Hurrea.

You say that the boy was returned to Dullia after asking Dada Havildar at the Settanee's consent; state whether you had ascertained, either through the Settanee or Dada Meea, as to, by whom, and in what manner, this boy was brought to the Settanee here, and who had suckled him, and was the boy given back by the Settanee's desire?—I do not know how and by whom this boy was brought; I did not make any inquiry with regard to suckling him. Joiti Settanee made the confession of the boy not being born by her, which I informed to Mahluxmeebaee and the Surkar, who desired me to give the boy back, after taking a writing from Joite Settanee to that effect, which I did, as Mahluxmeebaee said that there was no need of making any further inquiry.

At the time of returning the Amliara boy, were you certain whether the boy of Meetapoora was brought or not?—I made no inquiries about it, depositions were taken by the Surkar, and every thing was done by orders of the Surkar and Mahluxmeebaee.

You state that Surkar's order was to make the expense to the extent of 5,000 rupees, whereas you paid 15,000 rupees to Lulloo Bhugwan for the boy, and a further sum to the Meetapoor people for taking back the writing which was passed to them by Bhanabhaee, purporting to pay them 200 every year; how did you satisfy yourself that the agreement in question was of Bhanabhaee's handwriting, and since the boy was proved to be of the Meetapoora coolie, what made you give 15,000 rupees?—Lulloo Bhugwan said, that he would never give any information without giving him 15,000 rupees, which Mahluxmeebaee ordered to pay; when I delayed the payment for two or three days, she said, what, have you a mind to get up another partner of mine? and ordered immediate payment of the sum, which was accordingly made. For the writing I asked Bhanabhaee personally, that it was not compared with his other writing; when come to my hands it was shown to one or two gomasthas of the firm (whose names I do not recollect), and they recognized Bhanabhaee's handwriting, upon which the document was taken back from the coolies and the money paid: I made no further inquiry about it.

As the amount was agreed to be paid to Lulloo Bhugwan on the boy being proved of Meetapoora before the Surkar, state whether the payment was made before or after the fact was proved?—The payment was to be made after the fact being proved, but at Lulloo's importunities previous adjustment of it was made in the accounts, and after five or six months when the fact was proved before the Sirkar, it was paid with interest. I recollect so, but everything will appear from the chopras.

Who did inform you that the fact of the boy being brought by Joito Settanee from Meetapoora was proved, and was the amount agreed on paid to Lulloo Bhugwan, with interest, upon that information?—As the Sirkar told me, that the fact was proved by the depositions taken in the case, the amount was paid.

Who were present when the Sirkar told you so?—Nobody but myself and the Sirkar.

State whether the writing of Joitabaee, to the effect that the boy was not hers was passed of her own accord, or was she then in any restraint, or was it extorted by force?—She was neither forced nor restrained for the writing, but of her own accord she called me and promised to pass it, for she feared of the matter become public, because the dhurrumsulla in which the [Amleeara people had put up after the Meetapora people were gone, was frequented by the public for "durshan" (worship).

Who was sent for you by Joitee Settanee for the purpose of giving you the writing?—Punny had come to call me.

What did Punny tell you?—She said that I was wanted by the Settanee.

Did Punny ever bring you any other message than this from the Settanee?—For this purpose alone she came to me that day; she might have come sometimes for any other business too, but I do not recollect it.]

Did you keep any of your men with the Amleara boy after he was returned?—After the return of the sepoys who were sent to convey the boy to his house at Amleara, I heard that Ladbaee had gone from Jumboosur with a gang to take the boy; this was made known to the Sirkar, upon which his late Highness the Guicowar ordered to keep the boy in any of the patel's houses at the village, in charge of good sepoys. The boy was accordingly kept with Dullia, in the house of a patel of the village, which was then vacant, in charge of a guard of sepoys.

Has Joito Settanee given any ornaments to your wife, and if so, what and of what value?—Joito Settanee has not given any jewels to me or to my wife.

State whether the Amliara people had made any complaints about getting back their boy, or whether you had sent for them?—After the receipt of the information from Dada Bhaee's havildar, sepoys were sent at night by the Sirkar's permission to apprehend Dullia, his wife and children, who were kept in a dhurumsulla when brought here.

Was the expense incurred during the period of Joiti Settanee's confinement (Soovavud) defrayed by the firm?—I recollect it was defrayed by the firm, and if anything paid by her father on that account, he must have recovered it from the firm.

Since you, Mahluxmeebaee and the Sirkar, had suspicions regarding the boy being brought forth by Joiti Settanee, for which you caused inquiries to be made through Lulloo Bhugwan and Vujoobhaee, state whether you made any secret inquiries as to what midwife was in attendance at the time of the boy's birth, who else were there present at the time; and when and what wet nurse was engaged?—Secret inquiries were made, but the midwife was not found out, one or two of her female relatives and friends were going near her. My people were forbidden from going to her.

How many days after the boy's birth the inquiries regarding the midwife were instituted?—Secret inquiries were commenced from the first day.

Who were intrusted with the inquiries?—It being the fact of 4 or 5 years, the names of the persons I do not now recollect.

Did your wife go to Joiti Settanee after the boy's birth?—One morning while washing mouth I heard of the boy's birth; my wife was then sent to see the Settanee; she on her return said, that as Ladbaee was sitting in the middle, she could not meet the Settanee.

Was Hurkba in Joiti Settanee's service?—Yes, but he was a servant of the Set's house.

Do you know where he is now?—No.

On the day Joiti Settanee went to her parents for delivery, did she send word to you by Hurkba servant, that she, feeling unwell, was going?—No.

Did your wife see the boy when she went to Joiti Settanee, [and if so, what signs did she observe on the boy?—I recollect my wife saying that Ladbaee was sitting in the middle, and the boy was not shewn to her.

Had Joiti or her mother any fear of your doing them any harm when the boy was born?—From the time the Sett was living, she was not on terms with me, owing to her bad conduct.

You have stated that your people were not allowed to go to Joiti Settanee since the boy was born. State whether she had placed the "chowkee" guard of her own people, or of those of the firm for the purpose?—She had people of the Sett's firm for the guard; Settanee, her mother, and other of her house] managed to keep off my people.

There is no difference in the depositions.

(signed) *Wahmunrow Venktesh.*

No. 101.

TRANSLATE of the Deposition of Mujmoodar Bhugwan Bhowaneedass; Caste, Dussa Dessawal Bunian; Inhabitant of Korsul, at present residing at Baroda; aged about years; Occupation, Servitude; taken upon oath at the Guicowar Durbar, on the 2d Bhadurwa Vud, Sumvut 1905 (4 September 1849).

Question. THE paper passed by Joitabaee Settanee, in which she admitted that the boy Moteelall was not her son, would appear to have been written by you, therefore, if you had really written it out, you are called upon to relate all the particulars connected with the writing of it?—*Answer.* I have no recollection of having written any paper to the above purport.

You are shown the copy of the original paper written out by you, and you are required to inspect, and having recollected your ideas, state whether you had written the original of which that shown you is a copy?—Having seen the copy, it has been brought to my memory that I had written out a similar paper, the original of it.

At the time of your writing this paper, who were all present?—Myself, Baba and Joitabaee Settanee were present.

In this paper in Joitabaee's name, it is written as follows: "This boy is not my son, and I know not from whom my parents had procured him, but I know that he had been procured through the Amulliara havildar, who brought him; and this is all I know about it." This, it being written by you, you are required to state by whom was the above dictated to you?—Settanee Joitabaee dictated it to Baba Nafra, and he to me; thus was the paper written.

You being seated near Baba, therefore, state whether Baba dictated to you faithfully, word for word, what the Settanee communicated to him, or did he add to or take from what had been so communicated to him?—Baba Nafra dictated to me word for word what the Settanee communicated to him.

After this paper had been written out by you, it would appear that Dyasunker Dessaee attested to it as a witness, therefore, you are required to state whether Dyasunker witnessed this paper by the desire of the Settanee, or of his own accord, or by the orders of any other body, and did the Settanee trace her mark upon this paper with her own hand, or did she get Dyasunker to do it for her?—Dyasunker read the paper to the Settanee, who asked him to attest it as a witness, and the Settanee touched the pen, and Dyasunker traced her mark upon it.

The day the paper was written out, yourself and Baba went about 10 o'clock, A. M., to the Settanee's, for the purpose of having it prepared, therefore state, after you and Baba had gone to the Settanee, and were seated, did Baba speak to the Settanee about preparing this paper, or *vice versâ*, and did any other conversation pass between the Baba and the Settanee,

Settanee, or how?—When we both had arrived at the Settanee's, Baba said to the Settanee, "Bhugwan is come," when the Settanee replied, "Get him to write out the paper;" and thus was the paper written out, but as to any other conversation having passed between them, I know nothing about.

After the paper had been written out, did yourself and the Baba quit the Settanee's together, or did you leave after each other?—I, being seated nearest the door, got up first, and, as Baba also got up and followed me, we both descended the stairs together.

At the time of leaving, did the Settanee say anything to Baba about herself, the boy, or her father?—The Settanee said something about a leekh being made out for 200 rupees; this I know.

At the time of your leaving the Settanee, did she appear in good spirits, or sad?—She was in a room which was shut, I, however, did not hear her crying.

For the purpose of attesting the paper which had been written out by you, and tracing upon it the mark of the Settanee, who had gone to call Dyasunker from the Dewankhana?—A sepahee who was on guard was sent by Baba to call Dyasunker.

Did Baba do so of his own accord, or by the orders of the Settanee?—Baba said to the guard, "Go call Dyasunker from the Dewankhana."

Were you present when this boy was taken from the Settanee, and delivered to the Amliara Tullavya?—I was present when the boy was delivered to the Amliara Tullavya, but he was not with (or taken from) the Settanee, but with Khooshallee, the wet-nurse, who carried the boy, and accompanied Baba Nafra to the serth's garden, and I took with me a goldsmith named Veesoonath, who stript the boy of his gold and silver ornaments, after which the boy was delivered to the Amliara Tullavya.

Were you near the Baba when the boy was being so delivered over to the Tullavyas?—I was near him.

At the time the boy was being so delivered to the Tullavya by the Baba, what did the Tullavya or Baba say?—Baba said to the Tullavya, "Take this boy away, and I shall provide for his maintenance," upon which the Tullavya immediately took the boy, and went away.

When the Baba bid the Tullavya to take away the boy, did the Tullavya raise any objection?—All the objection made by him was only about the boy's maintenance, and Baba replied that he would provide for the boy; this is all that took place.

Did the Tullavya only object to taking the boy, or on account of the maintenance, or because that the boy was not his son?—The Tullavya having objected to take away the boy, the Baba said, "I am the Sirkar, therefore, take boy away, and I will provide for him."

At this time, were any other parties present besides yourself, Baba and the Amlyara Tullavya?—We three were present, also the wet-nurse.

Where was Dyasunker at the time?—He was where the sepahees were sleeping.

When the boy was being conveyed to the garden, did Dada Meea accompany you all?—No, he did not accompany us.

Do you recollect whether Dada Meea had said anything regarding the boy, either to yourself or the Baba?—No, I do not.

After the boy had been delivered over to the Tullavya, had you an interview or conversation either with Joitee Settanee or her mother?—No; I had no conversation with either Joitabaee or her mother.

After Joitabaee had written out and delivered the leekh, did she appear to be harshly treated, and at this time was the boy with her, or otherwise?—From the time of the exposure about the Meetapoore Kollees, the boy, who used to be at Joitabaee Settanee's parents', the Baba caused, about 15 days before, to be brought away and located with his nurse, under a guard, in a room behind the "Thakoor Bhandar;" two guards were placed upon the boy, and two more upon the Settanee, and the Settanee got me to write a paper, signifying that this boy was not her son, and after this the child was taken and delivered to the Amliara Tullavya, without the Settanee being permitted to see him, and the windows of the room which the Settanee occupied were all barricaded with iron bars.

Who used to furnish the Settanee with such supplies as she wanted?—The Settanee used to make her wants known to the guards placed over her; they used to report the same to me, and I used to furnish what was required to the guards.

Used she to get all things which she wanted, or how?—The guards used to intimate to me all that she called for, and I, after having obtained the Baba's sanction, used to provide the same for her.

At the time the child was returned, did Baba give the Tullavya any jewels, clothes and cash, and, if he did, particularize the quantity given to each, and their names?—Dullya received a turban; Dullay's wife two rupees in cash, and Jouria only a turban.

There is no difference in what is stated above.

(signed) *Bhugwan Bhowaneedass.*

Witness, Lulloo Bhugwan.

Question. You would appear to have been present when Joitabaee Settanee had sent Punnee woman to Dada Meea, and if you were, state all that passed between Dada Havildar and this woman Punnee?—*Answer.* What passed between them I know not, because I do not recollect whether I was on this occasion or not.

Did you ever witness Punnee woman and Dada Meea conversing together?—Excepting once in the Dewankhana, I do not recollect ever seeing them conversing together.

Dated and signed as above.

Who all accompanied you, had gone to bring the child from the Settanee's parents' house? —Gunga, myself, Setaram Jemadar, and five or 10 sepahees had gone together to bring the child from the Settanee's parents' house.

You say that Gunga had accompanied you on this occasion; state did she do so of her own accord or did you ask her to do so, or was she sent by the Baba or the Settanee?—Myself and the Baba were seated together when Gunga was sent for by the Baba, and upon her attending, she was directed by the Baba to go with me and fetch the boy; she replied that she would go and obtain the Settanee's permission for her doing so; upon which the Baba said that the Settanee's permission was not needed, but to accompany me at once; thereupon, she, myself and Seetaram Jemadar, having a torch-bearer with us, proceeded to the house of the Settanee's parents, but Joitabaee's father would not give up the boy to us, and gave us and the Baba both the Sirkar's "Duwaye" against taking the child away, upon which I sent and informed the Baba of the same, and, having obtained his orders, a blacksmith was called in and made to remove the fastenings from off the door of the room in which the boy was, with his nurse, shut up in, and, after the door had been thus opened, the nurse was made to carry the child, and accompany us to Sett's shop.

Dated and signed as above.

No. 102.

TRANSLATION of the Deposition of Vamunrow Venkatesh, *alias* Baba Nafra; dated Bhaderwa Sood 15th, and Vud 11th, Sumvut 1906 (21 September and 2 October 1850).

Question. IN your deposition taken before Meer Surfraz Allie, &c., you stated that at the time of the Settanee Joitabaee being delivered of a son, you had your doubts, but consequent upon the want of sufficient proofs, you were not desirous of scandalizing the respectability of a great family, &c.; therefore, you are required to state, who had come to demand the child as his own son, to whom you caused the boy to be delivered?—*Answer.* No person had come to complain or demand the boy, but upon making the contents of the deposition known to the Sirkar, Dulleeya and the others, by the Sirkar's orders, were sent for.

Did any Goomasta come and inform you that Larbaee was in the habit of frequenting the house of Dada Meeah at midnight?—Many days having elapsed, I do not recollect which Goomashta it was who had come and informed me of the above; but for the purpose of seeking out Dada Meeah, Allum Seepahee was rewarded with 50 rupees, who informed me that he was at one Budrun Beebee's, from whence I caused him to be seized and brought.

How many days before or after the Meetapoor people had come and returned did you send for Dada Meea?—Three or four days after the Meetapoor people had come to and returned from Baroda was Dada Meeah sent for.

About 10 or 12 days after the depositions of Tullaveea Dulleea and others had been taken, it would appear that sepoys had been despatched to the house of Bhanabhaye, but upon inspecting the depositions in this case, it would appear that the same day on which the depositions of Dulleea, &c. were taken, the boy had been returned; therefore you are required to explain this discrepancy?—Many days having elapsed, I have no recollection about it.

In your deposition taken at the Durbar, you have stated that the Meetapoor people are the parents, and that you had given 15,000 rupees on this account to Lulloo Bhugwan, and that afterwards, upon being informed that the child had been procured from the Amleeara people, he was returned to them, and thereupon the above sum of 15,000 rupees, with interest, was given to Lulloo Bhugwan; therefore you are required to state what induced you to give Lulloo the above sum with interest?—Lullo had promised satisfactorily to prove, before the Sirkar, that this boy had been procured from Meetapoor, and his having done so, upon the depositions taken in the matter, as agreed upon between us, I gave him the sum of 15,000 rupees, with interest.

Were any inquiries made to ascertain when the Meetapoor boy had died, and when the Amlyara child was procured and brought?—No inquiries were made by me upon the above point, but the Sirkar had done so.

You state above that no inquiries were made upon these points by you; then without awaiting the institution of proper inquiry, for you at once to give over the child, requires some explanation from you?—The Amleeara people had come here, and upon Settanee Joitabaee hearing of their arrival, she sent for and informed me that her parents had informed her that the child had been procured through the instrumentality of Dada Meeah, and requested me to not scandalize her, but that Dada Meeah should be made to restore the child to the parties from whom he had been procured; upon this I informed her that if she would pass a leck in the Sirkar's name, I would see about it, upon which she wrote and gave the leck; this leck I produced before the Sircar (the late Guicowar), and informed him of all the particulars regarding it, and upon the Sirkar having directed the boy to be returned, I caused the boy to be returned to the Tullaveea, and upon this subject I have already given my depositions at the Durbar, respectively dated Magshir Vud 2d, Sumvut 1904, (23 December 1847,) Shrawun Vud 30th, Sumvut 1906, (6th September 1850,) from the perusal of which, the subject will become elucidated.

You have stated that the Settanee, for the purpose of having the child restored to his real parents,

parents, passed a leck in the Sirkar's name; you are required to explain whether the Settanee had passed this leck with her own pleasure, or otherwise?—The Settanee passed the leck with her free will and pleasure.

The Settanee was confined and separated from her child for 15 days, and the Settanee's parents not being near her (they also being confined in their house), and the child being taken by the wet-nurse, and both of them secreted in a room which was fastened from the inside, and a blacksmith having been sent for who took the doors off their hinges, the child was forcibly taken, and (without being permitted a meeting with his mother) was delivered to the Tullaveeas; from this, it does not appear that she passed the leck willingly?—The above-mentioned leck she passed with her free will and pleasure, and the reason for her doing so is, that she asked for a leck in the Settjee's name, securing to her parents a stipend of 200 rupees annually, and therefore she caused Bhugwan to write the above leck, which she gave willingly. This boy was from the commencement false, therefore, to save herself from being exposed, she directed Bhugwan to write out this leck, and he wrote it out at her desire, and she was not compelled to pass it.

You state that a leck had been made out in favour of Bhanabhoy, securing to him the annual sum of 200 rupees, therefore you are required to state whether a copy of this leck obtains with you?—No copy is with me, and regarding this point, Bhugwan has already given in his deposition at the Durbar. What is above stated is the truth.

Examination resumed.

Question. What was the reason of the disagreement between yourself and the Settanee Joitabaee?—*Answer.* I entertain no malice on my part; I consider both Mahaluxeemee and Jotabaee Settanee in the same light, and the cause of the disagreement has been noticed in the deposition already given in by me.

What was the reason of the disagreement between yourself and Lulloo Bhugwan?—Lulloo is not a Goomashta of the firm of Hurry Bhugtee, but notwithstanding, he entertained persons, and, for the purpose of intriguing, he bought over the whole of the Goomashtas of the firm; this case is pending before the Sirkar.

(signed) *Vamurow Venkatesh,* in his own handwriting.

No. 103.

TRANSLATE of a Statemant made by Mahaluxmeebaee, Widow of the late Betchurbaee Samuldass; Bhadurwa Vud 2d, Sumvut 1906 (23 September 1850).

Question. YOU sent Lulloo, at Sowlee, to inquire about the boy Joitee Settanee had procured from Meetapoor; state by whom, and in what manner, were you informed of the facts of this boy being brought?—*Answer.* Baba Nafra informed me of it as he heard it by a flying report, and by him also Lulloo was sent.

Did Baba ask you to send Lulloo to Meetapoor, or was he sent without your consent?—No, he did not ask me.

Baba Nafra states, that at your desire he promised to pay Lulloo Bhugwan 15,000 rupees, for the purpose of finding out the Meetapoor boy's parents; state whether you told him so, and, if so, did you tell it in Lulloo's presence?—I know nothing about this.

Baba Nafra, on having been asked, states that the Amleeyara boy was returned by your order, without making proper inquiries; state what orders were given by you?—I know nothing in this matter.

In answer to the questions now put, you state that you do not know anything about sending Lulloo, or about returning the Amleeyara boy, but in the statement you previously made in this case before Azum Meer Surrup Razullie,* &c., you deposed that everything was done by Baba with your consent; state how is that?—I know nothing about the former statement; Bhugwan Bhouaneedass must know how it was made; the statement I now give is correct.

(signed) *Mahaluxmeebaee,*
Widow of the late Betchurbhaee Samuldass.

No. 104.

TRANSLATION of the Deposition of Bhugwan Buwanneedass, Goomashta to Hurreebucktee; dated Bhadurwa Vud 3d, Sumvut 1906 (24 September 1850).

Question. IN the deposition of Maha Luxeemee Settanee, taken before Meer Surfrazalie, in the present case, she states, that by her orders Baba Nafra had deputed Lulloo Bhugwan, and by her orders was the child restored to the Amleeyara people; and in her deposition taken

* The yads of the 5th September, and 10th and 11th December 1847, Nos. 94 & 95.

taken yesterday, she states that she knows nothing about her former deposition, and that since you had brought it you should be interrogated about it; therefore you are asked, whether her former deposition was written according to what the Settanee had deposed to, or whether you drew it up of your own accord?—*Answer.* At that time Baba informed me that the Sirkar was coming to take the elder Settanee's deposition, and he desired me to write out the deposition regarding the Meetapoor and Amleeyara boys agreeably to his tutoring; therefore, when the Settanee's deposition was being taken, I drew it up agreeably to what Baba had instructed me on the subject.

At the time of returning the boy to the Amleeyara people, a "leck" had been drawn out in favour of the Settanee Joitabaee's father, securing to him a stipend of 200 rupees yearly; therefore you are required to declare whether you retain a copy of this "leck," or with whom it obtains; as also, by whose orders the "leck" had been made out?—By the orders of Baba the above leck was drawn up, and it was given to the Baba. I retain no copy of it, neither do I know whether it obtains with any other body.

Dated as above.

(signed) *Bhugwan Buwanneedass,* in his own handwriting.

(1.)

TRANSLATION of the Deposition of Punnee, Woman; dated Chyter Sood 7th, Sumvut 1903 (A. D. 23 March 1847).

FOR many years I have been living under the protection of Hurry Bhugtie. When Shet Bechurbhoy died, the following day Hurry Runbun was placed under the elder Settanee, and I was kept under Joitie Setanee the younger. On the day the Shet died, Joitabaee told the elder Settanee to release Narron (servant) from confinement; by not doing so she suffers much in her character; that in future she will do nothing without her wish, as the Shet's mouth was closed. The elder Settanee became alarmed, and she answered the younger Settanee in the affirmative. The Goomashta was accordingly directed to release Narron, who was set at liberty. About midnight the Shet died. After five or six days, while weeping, Joitabaee began to say that she is pregnant. In this way she spread the report. The elder Settanee, Mahaluxmee, hearing of this, said, that when the Shet first heard the report about Narron, from that day he felt much displeased, and directed that new sepoys, but old in age, be kept as guards, and placed Narron in confinement, and the Sett beat the younger Settanee well; at which time the Setannee acknowledged, and took her oath, "that it is true that I have committed this fault, but in future, if I be guilty again, do what you like with me; even now do as you like." On this the Sett made the arrangement as above stated, and directed that Narron should be kept in confinement for the term of his natural life. From this day Shetjee never eat his meal hearty, nor did he go to the Durbar; and from this circumstance he became unwell, and at length died. The elder Settanee further said, that by coaxing her, Joitabaee got Narron released; but when Shetjee died, Joitabaee had her menses for seven days.* Now she has raised a false rumour, but how will it be maintained? She may raise up many false stories, but how will "Shree Thakorejee" (Deity) permit them? Afterwards Moteeram Doctor and Trebowun Josee were sent for by the elder Setannee, and told them, that as both are old and true people, they should go to Joitabaee; on this they went, and sat on one side. At this time I understood Joitabaee tell Mooteeram Dr. and Tribhowun Josee, that "it is all false." In this way she confessed. Afterwards Joitee Setanee's mother, Larbaee, came to Joitabaee, and spoke a few words to her, and abused the elder Setanee, Moteeram Dr., and Tribhowun Josey, and afterwards raised false stories. That Joitabaee used to get her monthly visitation, but she would not let any one know of it. Her mother used to wash the clothes; after taking out the stains, give them to others to be washed. This continued for three and a half months after Shetjee's death. One night, about midnight, Joitabaee went to her father's house; I went also, and through "Nurseejee's" Pole went to her father's house, and sat in a room. Larbaee came to the door, and told me to bring some ashes from down stairs; accordingly I went to the gate of "Nurseejees" Pole for the ashes, but if anything was brought from the door leading to "Bazzwadda," or by some other means, Larbaee must know. I went to collect ashes, but I got none; and while I was in search for them, Larbaee called out to me, so I went up stairs, and saw a boy lying on the floor. Larbaee was sitting near him, and Joitabaee Setannee was sitting on a stool close to the child, at which time there was no midwife, nor any one else. This is my true statement; I have made this with my free will and consent, and in the possession of my full senses; that if there be any difference in this, I shall be considered an offender of the Sirkar.

* From this place the writing had been subsequently added.

The mark + *Punnee,* Banian Woman,
written by Vuzbookun Eshwur, by her desire.

(2.)

TRANSLATION of the Deposition before Trimbuck Shastree and Bapoo Myral Shastree, made on the 14th Bhadurwa Vud Sumvut, (A. D. 26 September 1848), by Larbaee, wife of Bhanabhaee Kandass, Hindoo; Vesalar Banian caste, about 35 years of age, Resident of Baroda; present residence Dajee Kaknoo, house in Row Poora.

Question. YOU petitioned the Bombay Government and the Resident, relative to your boy being taken from you and delivered over to a kolie by the karkoon of Hurree Bhugtee, Baba Nafra; of your daughter, the Settanee, and your husband having been imprisoned, and other subjects, a copy of which petition you sent to this Sirkar; you are therefore required to state all the particulars of the same?—*Answer.* I, on the 2d August 1847, sent a petition to the Bombay Sirkar and Resident, in which I stated fully all the particulars, to the effect that the Settanee's son Moteelal was in the habit daily of taking his airing in a palkee, and that one day he was for this purpose placed in a palkee, and sent to my house; that day the Settanee was imprisoned and was prevented going out, by the doors and windows being all fastened up, and a guard being placed over the Gurriallee Pole; this I heard the following day, also, that none of the Settanee's relatives were allowed to pass there; on which I went to the Baee Sahib (the Ranee) and gave her the full particulars of what had occurred, and afterwards informed his Highness Gunputrow that such were my oppressions, the whole of which, through Succarame Pursotum, was made known to the late Mahraj; his Highness Gunputrow bid me not be distressed, saying that Joitabaee, who is imprisoned,* to be released, and that my case would be fully inquired into; a few days after which, one day, 30 or 40 men about mid-day (my dinner-time), came and wandered through my house, spoiling my dinner, and confined Moteelallbhaee and the nurse Khooshallee in a room, after which my husband (Joitabaee's father) and his mother were confined, and a sepoy struck Bhanabhaee, and whilst I was eating, came to the door and stood staring at me. The sepoy, and a jemadar named Seetaram, told me to go up stairs; I replied, that if they laid hold of my hands they should be denounced by the Company Sirkar; on which, Seetaram Poorbeea replied, "the Sirkar's denouncement is on my head, and I am a Sirkar's sepoy;" after which I came down stairs; in the meantime a few people went up stairs, and I having descended, went outside, and Bhugwan Mujmodar from the outside was attaching a chain to the door; in the meantime I raised a cry that I was being killed, on which the city people thronged in, and thus prevented the chain being fastened; the Arab sepoy striking me, pushed me into the house; the city people inquired the cause of my being beaten, and I in the meantime, crying, went to the Sirkar's palace, and seated myself in a room near the Adalut. On the right hand side in a room some Ducnee Brahmins, together with a Banian, were seated; I did not know who they were; they inquired why I was crying, and said, "What have you got to represent to the Shastree?" The Shastree heard this, and the Banian told me to go up stairs and inform the Sirkar; on this I went up stairs to the mandvee, where the Sirkar was; I was crying, but no one heard me. The Sirkar went up stairs, and some people remarked that the Sirkar had heard me, but said nothing; afterwards I went to Baee Sahib's quarter of the house; the people told me, that the Sirkar had come there to dine; in the meantime I went and sat crying close to Baee Sahib's room, and I told her people of how I was oppressed, and whom I told to acquaint Baee Sahib of it; one of these people bid me to sit down, saying, he would go and tell her; about four hours afterwards, one of the people came and told me, that there was no one who would listen to my tale of distress, adding "the Baba is very powerful;" thus wearied, but I sat for three hours. A person came, and said to me, you have been seated here wearying yourself, but you still are experiencing the same oppression: all this the people said to me, but neither their names and themselves do I know. After this I rose and went to Jumboosir, and at my relation's, a Banian's house, I wrote a petition, and sent it to the Bombay Sirkar; a month subsequent to this I went to Bombay; there I three times petitioned. Such is my case.

* *S. O.*

At the time of Bhechurbhoy's dying, how many months gone with child was your daughter, Joitabaee, and in accordance with the custom of women, how, and by whom, were the necessary arrangements made for her?—When my case, as contained in my petition, has been settled, then I will fully and clearly give proofs on the subject.

A settlement in accordance with what you have petitioned for cannot be made, therefore, can you give satisfactory proof on the subject of your petition?—On what I have written in my petition being settled, I will then give my reply.

After the Shett died, how long after was Joitabaee confined, and what women were present at the time of her confinement; what nurse, and what wages did she get?—When my case is inquired into, agreeably to my petition, then I will reply and give my proofs; but the arrangement I wish made *as contained in my petition to the Bombay Sirkar.

* *S. O.*

You have petitioned the Bombay Sirkar; should you be called on to prove what you have brought forward, can you give proof?—When the inquiry comes on at the residency, and the subject of my petition is arranged, then I will fully reply, and substantiate all that I have brought forward: the arrangement to be made is to this effect, that Moteelallbhaee is restored to me, and Baba Nafra is confined, and the safe custody of the wealth is provided for; also, an account rendered of such as may have been expended, as well as the restitution of such property as was dug out from my room, and that taken from Joitabaee; of all this

Baba Nafra should be called on to explain; when all this above arrangement is made, then, and not till then, can I, nor will I, give any answer.

TRANSLATE of Postscript to the Copy of a Deposition made by Larbaee before the Durbar, 14th Bhadurva Vud, 1904, received at the Residency 5th October 1848.

I, Larbaee, intimate to the Sirkar that, when my case is being enquired into, my vukeels will speak in my behalf to both Sirkars.

(signed) *Larbaee*, Wife of Bhanabhaee Kandass.
Written by Ballabhoy Samdass, at Larbaee's request, × her mark.

(True translations.)
(signed) M. Battye, Assistant Resident.

Appendix (J.)

CORRESPONDENCE with the DURBAR on the Subject of Punchayet.

1.

No. 911 A. (No. 1,029.)

TRANSLATE of a Yad, dated the 8th November 1850, from the Resident to the Durbar.

IN the yad, dated 15th Zelhuz Hujree 1251 (22 October 1850), in the case of Joeetabaee Settanee, widow of Bhachurbhaee Sammuldass, being a reply to the residency yad, No. 668, of 1850, in which it is stated that Bhasker Row Wittul and others had made out a statement of the proceedings, and that all had been sent, the Resident observes, that in the papers which have been sent from the Durbar there appears to be some mistake, and that Sumbooram Khooshall had been verbally desired to communicate this to the Durbar, a yad having been given to him, pointing out the errors, requesting such might be rectified. This statement is herewith sent to the Durbar, and the Durbar is requested to take a duplicate of it, and, after placing a seal on the connecting seams of each bund, return the original to the residency.

2.

TRANSLATE of a Yad to the Resident from his Highness the Gaekwar, dated the 6th Moon of Mhorum H. 1251 (11 November 1850).

IN your yad, dated 8 November 1850, No. 1029, which has been received, it is stated, that "in the matter of Joeetabaee Settanee the yad, together with the summary from Bhasker Row Wittul, &c. has been received, but owing to some inaccuracies existing in it, and regarding which Shumbooram Khooshall had been informed, were by him returned to be submitted to his Highness, and the corrections made, and having been by him returned corrected, the summary, &c., are again sent for the purpose of the Sirkar's seal being impressed, where the several sheets have been joined together." Thus it being written, be it known that it is only usual to impress the mark of the Government seal upon the joinings of the sheets upon which original summaries are written, and not upon copies of such summaries, which in this instance also has been done, but in consequence of some inaccuracies existing in it, the copy of the summary had been sent back to Sumbooram to be corrected. Up to the present time, in almost every yad from the Sirkar, enclosures are sent, but in no one instance have the joinings of such enclosures been impressed with the Government seal, which the Resident is well aware of; and as the present summary is only a copy, an innovation cannot be expected to be made in the usual practice, by stamping the joinings thereof, therefore the copy of the summary is returned.

3.

TRANSLATE of a Copy of a Yad from the Resident to the Durbar, dated 13 November 1850.

THE Gaekwar Sirkar's yad, dated 11th November 1850, 6th Mohorrum 1251, in the case of Joeetabaee Settanee, in which, in reply to the residency yad, No. 1,029, the Durbar states that it is not customary to place a seal on the connecting seams of each bund, has reached the residency. In reply, the Resident would acquaint the Durbar that the observance of the usual custom in sending papers to the residency will suffice; but the inquiry in the case of the above-mentioned Settanee is an intricate one, and requires strict precautionary measures, that no suspicion may arise that foul work has been carried on with the papers and proceedings sent to the residency from the Durbar and other places. With this view the copy of the proceedings is returned with this yad, and it is requested that the original may be sent to the residency sealed.

4.

TRANSLATE of a Yad from his Highness the Gaekwar, dated Chundre 1st, Suffer (6 December 1850).

A YAD from the residency, dated 13th November 1850, No. 1,046, regarding the case of Joeetabaee, has been duly received, from which the Sirkar has been informed that the Sahib has received the Sirkar's yad, together with the summary, from which the Sahib has been informed that although it is not customary to attach mhores on joining sheets, and that papers will be sent to the residency as usual, yet, as the case regarding Joeetabaee is one of a very serious nature, and that nobody may suspect that in the residency there will be mismanagement of the papers; with this consideration the Sahib returns copies of the summary, on which, or on the original, if the Sirkar thinks just, mhores shall be attached, and remitted to the residency: thus it has been written in the Sahib's yad. In reply, the Sirkar has to say that the suspicion which the Sahib entertained, the Sirkar has concurred in; but it is not customary to attach "mhores" on the joined sheets of copies, therefore the original summary, with "mhores," has been forwarded to the residency, and the copy has been kept for the duftur of the Durbar. The Sirkar's wishes are that the usual custom should never be altered.

5.

(No. 1,093.)

TRANSLATE of Copy of a Yad, dated 25 November 1850, from the Residency to the Durbar.

IN Settanee Joeetabaee's case the proceedings from the Durbar have come, in which it appears that different papers have been drawn out, therefore it is requested that a list of such papers, and the originals, should be sent to the residency, all which will be returned, on completion of the case, to the Durbar.

6.

TRANSLATE of a Yad from his Highness the Gaekwar to the Resident, dated 23d Mhorrum, Kartick S. 1907 (28 November 1850).

A YAD from the residency has been received, dated the 25th November 1850, No. 1,093, in which it is stated, that "In the case of Settanee Joeetabaee the proceedings from the Gaekwar Sirkar has been received, and it is requested that the original papers connected with the above case, together with a list, should be furnished, which, after the final adjustment of this case, will be duly returned." Thus it being written in obedience to the Sahib's orders, the original papers in this case, together with a list, are transmitted with this yad, which, after perusal, and the final settlement of the above case, you should kindly cause to be returned.

7.

(No. 1,097.)

TRANSLATE of a Copy of a Yad, dated the 25th November 1850, sent from the Residency to the Durbar.

THE Gaekwar Sirkar's yad, dated 15th Zelhuj H. 1251 (22 October 1850), being a reply to yad 668, of 1850. With reference to the case of Joitabaee, widow of Parruck Bhachur Sammul, in which Bhasker Row Wittul and others have made a copy of the proceedings and other papers, and sent them, has reached the residency, with the copy. As regards the copy, the Resident would observe, that there appeared some errors in it, to have which rectified it was returned to Sumbooram Kooshall, after which the Maharaj sent the original; and the Resident would remark, that when the copy first came, a translation was at once taken, and of the present paper, the original, a translation has been also taken, which, on comparing, several discrepancies are apparent, therefore the Durbar is requested to explain such discrepancies.

8.

TRANSLATE of a Yad from his Highness the Gaekwar to the Resident, dated 23d Mhorrum H. 1251 (28 November 1850).

IN your yad, dated the 25th November 1850, No. 1,097, which has been received, it is stated that "the copy of the summary regarding the case of Joitabaee Settanee's son, received from Bhasker Row Wittul, &c., having been found to contain some errors, they were pointed out to Sumbooram Kooshall, and the copy was returned by him, upon which his Highness the Gaekwar caused the original summary in the case to be furnished; upon

the receipt of the copy, however, received in the first instance, it had been rendered into English, which translate, upon being compared with the original summary sent, is found in many places to differ from the former copy; therefore it is requested that the cause of such differences between the copy and original may be explained in detail." Thus is it written. In reply, be it known that upon ascertaining that certain errors obtained in the copy, it was sent for, and replaced at the residency by the original summary, bearing the signatures of the members of the Punchayet, and the impression of the Adawlut seal; therefore it is obvious that differences would exist between the original summary subsequently furnished and the translate made from the imperfect copy at first sent, and as on the errors obtaining in this copy being first made known, therefore to find out such differences, for the Resident's satisfaction, a translation should be made from the original summary, and compared with that from the copy, when they will appear.

9.

TRANSLATE of a Yad from the Resident to his Highness the Gaekwar, dated 24 December 1850, No. 1,194.

A YAD had been despatched from the residency to his Highness the Gaekwar, to the purport, that in the case of Joitabaee Settanee, the widow of Bhachurbhaee Sammuldass' son, in a lekh for 201 rupees, in the name of Bhucktee Khundass, which had been executed in favour of the Metapoor Walla, the writing of the signature resembles the writing of Mhounlall Phurboodas, the private Goomasta of Baba Nafra, and upon the examination of this individual; as he had repeatedly contradicted himself, and had given various versions of the affair in this matter, it would appear that the signature of Bhannabhaee had been forged upon the said lekh, and to this extent the Baba appears to be involved; this man also is; therefore he had been forwarded to the Gaekwar Sirkar, for the purpose of being placed in close confinement; and after the above case had been investigated by the Gaekwar Sirkar, with the Sirkar's yad, dated 15th Zelhuj, S. S. 1250 (22 October 1850), a summary of this case had been received, and upon inspecting the summary, it is stated, that "Mohunlall Phurboodas denies having forged the name of Bhanabhaee Khandass;" this much is written about him; but when the case was being investigated at the residency, it appeared clear that this party had forged the name of Bhannabhaee upon the lekh in question; and Lulloo Bhugwan clearly states in his deposition, that "Baba Nafra, having sent Mohunlall Phurboodass for the books containing Bhannabhaee's signature, he was made to sign the lekh in question, by imitating the signatures obtaining upon the books which had been procured for the purpose;" and, in the summary, no punishment is awarded to this individual for the perpetration of such crime, consequently Bhannabhaee had been lately sent for to the residency, and caused to give a specimen of his handwriting, which, together with the lekh which had been passed to the Meetapoor Walla, and furnished to the Resident by the Durbar, are in original, enclosed in this yad, and upon inspecting them, the subject will become elucidated; and further, Sambooram Kooshall had, upon two or three occasions, delivered messages from the said Mohunlall, to the effect that, provided his enlargement was effected, he would discover the truth in the above transaction; in reply to which, it was stated, that whatever disclosures he was desirous of making he should communicate to the Gaekwar Sirkar, but what had subsequently transpired in this matter, the Resident has not been apprised of; such being the case, what measures had been adopted, and their result, should be transmitted for the information of the Resident, in writing.

10.

TRANSLATION of a Yad from his Highness the Gaekwar to the Resident, dated 20th Rubbil Ahwull, S. S. 1251 (24 January 1851).

A YAD was received from the residency, dated 24 December 1850, No. 1,194, stating, that "in the case of Joitabee Settanee, a bond was given to the Metapoor people in the name of Bhucktee Khandass (Bhannabhaee) for 201 rupees, the writing of which appeared in that of Mohunlall Phurboodas, private Goomasta of Baba Nafra, but as he had not given a proper reply, he was sent to the Durbar for the purpose of being kept in strict confinement;" and that in the proceedings of the punchayet it is stated, that Mohunlall Phurboodass denies having signed the bond for Bhannabhaee; but it appears "that he did sign the said bond, because Lulloo Bhugwan states, in his deposition, that he caused Mohunlall to sign for Bhanabhaee; but that the punchayet has recorded no punishment as awarded to him in its proceedings; that Bhanabhaee was sent for at the residency, and his handwriting taken from him: this and the bond given to the Metapoor people are sent; that Mohunlall two or three times sent word with Sumbooram Kooshal to the residency to make known to the Durbar that he will confess to the truth, but to cause his release; but what has been done, it is not known." To this effect the yad was written. In reply, this Government begs to state that, having laid the above matter before Bhaskur Row Wittul, Beemashunkur Gungadhur, and Gopal Row Myral, &c., arbitrators appointed to investigate into

into the complaint preferred by Joitabaee Settanee, they have submitted a yad and three enclosures on the subject, copies of which are herewith sent; from a perusal of these four papers the Resident will know everything.

---

1. TRANSLATE of a Yad from Bhasker Row Wittul, Khasguwalla Bheemashunker Gungadhur, Mootalik Narrayen Row Mhadow Mujmoodar, Gopal Row Myral, and Choonelal Lulloobhaee Paruk, dated Posh Vud 2d, St. 1907 (19 January 1851).

WE beg to submit that it would appear that a yad from the Residency, No. 1194, dated 24 December 1850, had been received by the Sirkar, and in which it was written as follows: *i. e.* In the case of the abduction of the son of Settanee Joitabaee, the widow of Bachur Samul, Baba Nafra's goomashta, Mohunlal Purbhoodass, who is suspected of having forged the signature to a deed in the name of Bhugtee Kandass (Bhanabhaee) passed to the Meetapoorwalla, securing to this individual a stipend of 201 rupees, and the punishment which should be inflicted upon him consequently is not at all noticed in the summary drawn up in this case. And with reference to the above, Bhanabhaee was made to give a specimen of his handwriting at the residency, which, together with the leck passed to the Meetapoor walla, received from the Guikwar Sirkar, are herewith transmitted, and the said Mohunlal having sent twice or four times messages by Shumbooran Khooshall to the rssidency, to the effect that he would disclose the two particulars of the above affair, provided he be released; therefore, an inquiry should be instituted upon this point, and the result communicated, &c., which, together with the two enclosures, have been received, and with reference to the above orders of the Sirkar, we beg to submit the following explanations:—

1st. In the above cases Lulloo Bhugwan, in his deposition at the residency states, that Mohunlal Purboodass, intimated the handwriting of Bhanabhaee, and forged the signature to the above, adverted to "leck," &c., and upon this the deposition of Mohunlall was taken at the residency, No. 21, in which he stated that he did not write the signature upon the above leck, and that he knows nothing about the execution of such a leck. The above two documents having been brought up on the proceedings in this case, and no further proofs existing to fix the onus of the perpetration of the above mentioned forgery upon Mohunlal, therefore it is inconsistent with justice to decide upon the evidence of a single witness; and further, knowing that this witness, Lulloo Bhugwan, was the chief prosecutor in this case, no punishment was awarded to Mohunlal.

2d. In the above yad it is stated that Mohunlal had, by Sumbooram Khooshall, sent messages on two or four occasions to the effect, that he was desirous of confessing the true particulars, provided his release was brought about, &c.; and that, thereupon, a yad was sent to Sumbooram Khooshall, calling upon him to declare how often Mohunlal had sent messages by him to the Resident that he was desirous of confessing the truth, provided his release was brought about, and to declare the nature of the true confession he was desirous of making, and that upon how many occasions he delivered Mohunlal's message to the Resident; and that he should, in writing, submit all the particulars about the above affair, &c.; and in answer to the above requisition we beg to submit, that Sumbooram Kooshall made answer, upon being interrogated, to the effect that Lulloo Bhugwan, having intimated that Mohunlal had thus expressed himself thereupon, that he was instructed at the residency to acquaint the Sirkar, and cause Mohunlal to be examined upon this subject of the true particulars he was desirous of disclosing; and that, thereupon, having previously obtained the sanction of the Sirkar, he took the deposition of the said Mohunlal, in which he stated that he had not written the signature subscribed to the said leck, neither did he know anything about the leck in question; and that further than what he had deposed to at the residency he had nothing to disclose, and to the above effect a yad having been received, the above Mohunlal was recently examined personally, when he then also corroborated the statement contained in his former deposition, to the effect that he did not write the signature of Bhanabhaee to the leck in question, and that neither did he know anything about it; and further, he declared that he had never sent any message by Shumbooram to the residency; agreeably to the above, copies of the above two documents are transmitted, from which the subject will become elucidated.

3d. The leck passed to the Metapoor walla for 201 rupees, and the paper containing a specimen of Bhanabhaee's handwriting which had been obtained from him at the residency, have been received from the Resident, and which two papers were submitted for the inspection of Moorarjee Nisbut, Paruk Mungul Sukudass, and other three persons of the city of Baroda, and they were required to give their opinion whether the writing of the signature subscribed to the leck in question and that obtaining upon the other paper be similar, and these parties have given their opinion in writing that it does not appear to them that the writing of the signature of the leck and that obtaining upon the other paper are similar; and copy of this decision and the two original papers are herewith submitted.

From the particulars contained in the above three paragraphs, in no way can the onus of having forged the signature of Bhanabhaee to the leck passed to the Meetapoor walla be brought home to the above Mohunlal.

Dated as above.

At the desire of Bhasker Row Wittul, and the other four persons, do I sign my name to this.

(signed) *Hurry Gungadhur,*
Nisbut Nyadist, City of Baroda.

---

2. TRANSLATE of a Copy of a Yad from Sumbooram Kooshall, sent to the Hoozoor Joosee Shreet Mundlee (Durbar Court), dated Post Sood 1st, S. 1907 (3 January. 1851).

"IN the impending case of Joitabaee Settanee, the widow of Bachurbhaee Samuldass son's abduction, what true particulars did Mohunlal agree to disclose in detail, should be submitted in writing, and the prisoner should also be transmitted." A yad to the above effect had been received on Magsur Vud 30th (2 January 1851), from the Sirkar, in answer to which I beg to submit, that when the books of the firm of Hurry Bhucktee were being inspected at the residency, and when the Sirkar had ordered me to be in attendance, at the time Mohunlal was imprisoned on a charge of having forged the signature of Bhanabhaee to a deed passed to the Meetapoor walla, securing to this individual a stipend of 201 rupees, and upon Lulloo Bhugwan declaring that Mohunlal was desirous of confessing the truth in this matter, the Resident had ordered that the deposition of the said Mohunlal should be at once taken; the above, after having communicated to the Sirkar, I, in accordance with the orders on the subject, at once took Mohunlal's deposition, and upon this occasion he declared that he neither signed the name, nor did he know anything about the same, and that what he had deposed to at the residency was all he knew about this affair; this, after I had acquainted the Maharaj with, I communicated to the Resident, and agreeably to the orders on the subject, the prisoner is herewith transmitted.

(signed) *Sumbooram Kooshall.*

---

3. TRANSLATE of the Deposition of Mohunlal Purboodass; Religion, Hindoo; Caste, Dhussa Wagur; Inhabitant of Baroda, residing near the Bhooranpoor Gate; aged about 34 years; taken in Post Sood 2d, S. 1907 (4 January 1851).

Question. THE leckh passed to the Meetapoor Wallah, on account of his son, for 201 rupees, has been produced in the case of Joitabaee Settanee, the widow of Bachur Samul's son's abduction; and upon the leckh it appears that you, having intimated the handwriting of Bhucktee Kandass, traced his signature thereupon; therefore you are required to state upon oath whether you had so traced the above signature, or otherwise?—*Answer.* I know nothing about the execution of the above-named leckh, and neither had I thereupon inscribed the signature of Bhucktee Kandass, as imputed to me, therefore what can I know regarding this subject; further books obtain at Baba Nafra's in my handwriting, which send for and inspect; but I know nothing whatever about this leckh, or of the signing thereof, therefore what am I to depose to about this leckh?

Did you send word by Sumbooram Kooshall that you would confess the whole truth before the Resident, provided your enlargement was effected; and if you had sent such a message, you are required to make such disclosures, and to state how often you sent such messages by Sumbooram, and also the answer Sumbooram made to you on these occasions? —About three months from the present day, Sumboorambhaee asked me whether I had signed the above leckh, and he further interrogated me upon other points, when I answered that I knew nothing either about the leckh in question or the signing thereof, and to the above effect did I depose to; but I sent no message by Sumboorambhaee to the effect that I would declare the truth before the Resident, provided my enlargement was brought about; and subsequently to the above I never had any interview with Sumbooram, and besides I have nothing further to confess in addition to what I have above deposed to.

(signed) *Mohunlal Purboodass,* in his own handwriting.

---

4. TRANSLATE of the Examination of Dwarkadass Moorarjee Nisbut Parrick Mungul Suckeedass, Bachurdass Laldass Nisbut Parruck Kooshallchum Ambayedass, Jhogeedass Ghaillah, Nisbut Parruck Manuckchund Jugjeewun and Keerparam, Vajjashunker Nisbut Parruck Jhawair Luckmedass, inhabitants of the city of Baroda; dated Post Vud 1st, S. 1907 (18 January 1851).

Question. IN the impending case of Joitabaee Settanee, the widow of Bachurbhaee Samuldass son's abduction, a leckh having been produced before the Sirkar, purporting to have been passed in the name of Shu Bhucktee Kandass to the Meetapoor Wallah, for 201 rupees, and this leckh has the signature of Bhucktee Kandass subscribed thereto; the writing of this signature and the writing of Bhucktee Kandass, which he has been required to trace with his own hand upon a separate paper, are both shown to you, and you are required to declare whether the above writing agree with each other, or whether they appear to be different from one another?—*Answer.* Having inspected the writing of the above two papers,

papers, the writing of the signature subscribed to the leckh does not appear to us to agree with the writing upon the other paper.

Dated as above.

Note.—Upon being requested to subscribe their signatures to this, they refused to do so, urging that it is not usual with them to do so. In the presence of Gungadhur, karkoon to the Adawlut of the city of Baroda.

11.

TRANSLATE of a Yad from the Resident to his Highness the Gaekwar, dated 6 January 1851, No. 8.

A YAD from his Highness the Gaekwar, dated the 23d moon of Mhorrum, S. S. 1251 (28 November 1850), has been received, together with the summary, in the case of Joutabaee Settanee's son's abduction, and in which it is stated that " a yad had been received from the residency, dated 25 November 1850, No. 1093, calling for the original papers connected with the above case, which, together with a list, had been dispatched with the reply to the above yad." Such being the case, the numbers of the papers adverted to in the summary extends to 106 numbers, of which, however, Nos. 29, 30, 79, 80, 82, 92, 96, 99, 102 and 104, cannot be recognized as to what subject they allude; and further, these numbers are also missing, and would appear not to have been received, therefore it is requested that the above papers, in original, be at once transmitted to the Resident.

12.

(No. 13.)

TRANSLATE of a Yad from his Highness the Gaekwar, dated 5th Ravil Ahwul, S. S. 1251 (8 January 1851).

A YAD is received from the residency, dated 6 January 1851, No. 8, stating that in the decision in the case of Joutabaee Settanee, 106 papers have been registered, but as those of the following numbers are not received, 29, 30, 79, 80, 82, 92, 96, 99, 102 and 104, and their purport is also not mentioned in the decision, so they should be sent in original. In reply, the original papers of the numbers therein referred to are herewith forwarded with Sumbooram Kooshall, and it is requested that they may be returned after inspection, for the purpose of being recorded in the proceedings of the case.

13.

TRANSLATE of a Yad to his Highness the Gaekwar, from the Resident, dated 7 January 1851, No. 17.

A YAD, dated 6 January 1851, No. 8, in the case of Joutabaee Settanee, had been dispatched, calling for the original papers noticed in the summary of the proceedings, which had been suppressed, and with reference to which Sumbooram Kooshall produced the above adverted-to papers, amongst which one noticed in the summary, No. 96, as a yad from Maha Luxamee, upon inspection is found to be numbered 95, and No. 96 is a deposition of Seetaram Jemadar; such being the case, the papers noticed in the summary do not correspond with these papers, therefore an explanation in writing should be kindly submitted.

14.

TRANSLATE of a Yad from his Highness the Gaekwar, dated 5th Ravil Ahwul S. S. 1251 (8 January 1851), to the Resident.

A YAD is received from the residency, dated 7 January 1851, No. 17, acknowledging the receipt of the Durbar's yad, containing the result of the proceedings in the case of Joutabaee Settanee, in which the number, in the deposition of Maha Luxamee Baee, is stated 96, but the original is numbered 95, and the statement of Jemadar Seetaram is numbered 96; thus the number put down in the original does not correspond with that given in the yad of result, &c. In reply, it is to be informed that, on inquiry, the difference appears to have occurred owing to a clerical mistake.

15.

TRANSLATE of a Yad from the Resident to his Highness the Gaekwar, dated 7 January 1851. No. 18.

IN the case of Joutabaee Settanee, the widow of Bhacur Sammuldass, the depositions of Lullo Bhugwan, Bhugwan Buwannee, Dada Meya, &c., had been formerly taken, and with reference to which it is requested that information be furnished in writing, whether these depositions were taken in the presence of the Maharaj, or otherwise.

16.

TRANSLATE of a Yad from his Highness the Gaekwar, dated 6th Ravil Ahwul Soor Sun, 1251 (9 January 1851).

A YAD is received from the residency, dated 7 January 1851, No. 18, requesting to know that whether the statements made by Lullo Bhugwan, Bhugwan Buwannee and Dada Meya, at the Durbar, in the case of Settanee Joutabaee, widow of Parruck Bhachur Sammul, were taken before his Highness, or how. In reply, it is stated for the information of the Resident, that after the receipt of the proceedings held in this case at the residency, the statements of Lulloo Bhugwan, Bhugwan Bewannee and Phunnee, &c., were taken before Govindrow Rhoodeya, Bhow Thambakur, Anna Keeba, second karkoon of the Sudder Adawlut, and Sumbooram Kooshall. The depositions of Dada Meya and Jooria of Amleeyara were taken before Anna Keeba and Sumbooram Kooshall.

17.

TRANSLATE of a Yad from the Resident, dated 9 January 1851, No. 27.

AT the investigation of the impending case of Joutabaee Settanee, the will made out at the time of his death by the late Bachurbhaee Sammuldass being considered necessary, Soorujram Ghungaram, the native agent, had been deputed to the Gaekwar Sirkar for the same, and the Gaekwar Sirkar having sent with the native agent Govindrow Rhoodeya, they both proceeded to the house of Baba Nafra, and obtained from him the said will, in original, and after having done so, deposited it with Gopal Row Myral; as, however, at the present time it is considered necessary that this document should remain under the charge of the Gaekwar Sirkar, the Resident desires that the Gaekwar Sirkar will hold possession of the same from the said Gopal Row Myral, who has been written to on the subject.

18.

TRANSLATE of a Yad from his Highness the Gaekwar to the Resident, dated the 12th Moon of Rubbeel Ahwal, S. S. 1251, post month, 16 January 1851.

A YAD from the Resident, dated 9 January 1851, No. 27, has been received, requesting that the original will, prepared at the time of his death by the late Bhachur Sammuldass, and which, being considered necessary at the impending investigation in the case of Joutabaee Settanee, had been sent for and deposited with Gopal Row Myral, should be taken from the said Gopal Row Myral and deposited with this Sirkar; and with reference to the above request, be it known that, in accordance with the Resident's wishes, the said original will had been sent for from the said Gopal Row Myral, and kept in the dufturs, and this is written to acquaint the Resident of the same.

19.

TRANSLATE of a Yad from the Resident to his Highness the Gaekwar, dated 11 January 1851, No. 34.

IN the investigation of the case of Joutabaee Settanee, the widow of Bhachur Sammuldass, of the firm of Hurree Bhucktee, the following information, &c. is considered necessary, viz.:

1st. The original leckh, in the Sirkar's name, dated Chytur Sood 5th, Sumvut 1903, said to have been passed by the above-named Joutabaee Settanee, and in which she declares that she does not wish to retain possession of the child, and desires that he may be restored to the parties from whom he had been procured, and which leckh had been brought upon the proceedings conducted by the Punchayet in this case, and noticed in their summary as No. 35, and copy of which had been submitted to the Resident with the said summary, this original document being considered necessary, should be furnished. This document appears to be in the name of the Sirkar, consequently its execution should have taken place in the presence of the Company's Kamdar, which would appear not to have been the case, but that Baba Nafra, Bhugwan Buwanneedass, and Desaye Dyashankur were present, and got the said leckh prepared, and that the said Desaye had signed the said leckh on behalf

of

of the said Baee; and further, the said leckh had been attested in the name of "Runchoreju Maharaj," *i. e.* the Almighty; whereas a document of such a description should have been attested by other parties, which has not been done, and at the execution of the said leckh only the three parties above-named were present, notwithstanding many of the goomastas of the firm could have been called in to attest and be present at the execution of this leckh without inconvenience; therefore the Baba should be called upon to explain why they had not been called in to witness the execution of the said leckh.

2d. The date of the death of Desaye Dyashunkur should be ascertained, as also the several amounts debited to the said Desaye from the date of the Settanee Joutabaee's parturition, in the books of the firms of "Hurree Bhucktee," and that of "Narrain Runchore."

3d. The deposition of woman Phunnee Vanneen is brought upon the summary as No. 48, but in the deposition the deponent had been questioned about her former deposition, dated Chytur Sood 7th, Sumvut 1903 (23 March 1847), taken from the firm of Hurree Bhucktee, and in which she admits having so deposed, but the substance of such deposition has not been noticed in the above summary, consequently the said deposition, in original, should be furnished, together with an explanation why its substance had not been noticed in the summary.

4th. When the deceased Bhachurbhaee was very ill, and his faculties impaired, a will would appear to have been drawn up appointing the Baba to the sole management of the affairs of the said firm, and this document the Baba would appear to have got executed in his favour when the Sett was in the above unconscious state; consequently, at the execution of such a weighty document, it was necessary that several persons of character should have been present, which, however, does not appear to have been the case, and, further, the document in question is unattested; therefore it is necessary that an inquiry be instituted, and the opinion of the Maharaj be submitted as to whether deeds of the above description, and under the above circumstances, are admitted or otherwise at his court.

5th. The deposition of the Amleeyara Tullaveeya Bhanna is noticed in the summary as No. 41; this deposition would, however, appear to have been tampered with by the addition of a fresh piece of paper, containing questions and answers, and dated Asveen Sood 10th, S. 1904, but the substance of such addition does not appear to be noticed in the summary; and at the foot of such addition a further piece of paper is added, about the breadth of six or seven fingers, containing the signature of the said deponent, consequently this original deposition is returned with this yad, and it is requested that your opinion should be furnished as to whether, from the appearance of the deposition in question, it is not calculated to arouse suspicion or otherwise; and, further, that an explanation be furnished as to why the substance contained upon the addition to the deposition not having been noticed in the summary of this case.

An answer is requested to this yad at the Maharaj's earliest convenience.

20.

TRANSLATE of a Yad to the Address of the Resident from his Highness the Guicowar, dated 20th Tubbeel Ahwal, S. S. 1251, post S. 1907 (23 January 1851).

IN a yad received from the Resident, dated 11 January 1851, No. 34, calling for immediate information regarding certain points connected with the case of Joutabee Settanee's son's abduction contained in the five paragraphs of the said yad, I beg to submit as follows:

1st. In the first para. the Sahib writes, "The original leckh in the name of the Sirkar, purporting to have been passed by Joutabaee Settanee, upon the occasion of her declaring her unwillingness" to retain possession of the boy any longer, and "that he should be restored to the parties from" whom he had been obtained, should be produced without delay, the copy has been "already received with the summary in the" above case, but the original being considered "necessary, it should be transmitted." In compliance with the above request, the original leckh is herewith transmitted, with the remark that, in the preparation of lecks in the Sirkar's name, it is usual for a government employé to be present at its execution, which, however, does not appear to have been the case at the passing of the above leckh, but on the occasion of the preparation of this leckh, it would appear that Baba Nafra, Bhugwan Buwaneedass, and Desaye Dyashunkur were the parties present, and that on the part of the Baee, the Desaye appeared to have signed this leckh. And further, the Sahib writes, "this leckh does not appear to have been attested with the signatures of any disinterested parties, and as besides the above" named parties, there were many other "goomashtas belonging to the firm, it appears" rather extraordinary that they were not "present at the execution of this leckh," therefore the Baba should be called "upon to explain this." With reference to the above, Baba Dao Row had been sent to the Baba for the above explanation, and the Baba replied that he had obtained the Sirkar's purwangee for the preparation of this leckh, and that such being the case, after its execution he made over the leckh to the Sirkar, and that he had received no orders from the Sirkar to have this leckh executed in the presence of a government employé or any other goomashta; upon which, the above explanation being written under the question, Baba Nafra was desired to subscribe his name thereto, but this he objected to do. The copy of this paper is herewith transmitted, and from its perusal the subject will become elucidated.

2d para. In this paragraph the Sahib writes, "The date of the death of Desaye Dya-

shunker should" be furnished; and from the date on which the Settanee had given birth to her son, what sum is written "against this person's name in the firm and the books of Narrian Runchore should be ascertained and reported," &c. In reply, be it known that, from the investigations instituted into this subject, it appears that the above-named Desaye died on Vysack Sood 3d, S. 1906 (A. D. 14 May 1850); and after the Settanee's accouchement of a son, there appears to be no money whatever written against the name of the said Desaye, either in the firm or in the books of Narrian Runchore; further, from the time of Bhachurbhaee in the firm, an account obtained in his name and in this account, the wuttun of the said Desaye appears to have been received in pledge by the firm, and money advanced thereupon to him, and upon the death of the Desaye, 500 rupees was presented by the firm to his "kahta," and a copy of this "kahta" is herewith transmitted, and upon the perusal of which the subject will become elucidated.

Para. 3. In this paragraph the Sahib writes: "The deposition, No. 48, of Phunnee, woman, is noticed," in the summary in this case; but in it it is admitted "that she had given a former deposition at Hurree" Bhucktee's, which has not been noticed in the summary, therefore it should be explained, "for what reason the original deposition of this woman had not been noticed," &c. In answer to this, be it known, that the original deposition of this woman, Phunnee, has been sent with Sumboorum Kooshall and Hurree Punt to the Resident, and the reason why this deposition had not been noticed in the summary, Bhasker Row Wittul, Bhemashunkur Ghungadhur, &c., the parties appointed by this Sirkar for conducting the investigation in this case, were called upon to explain, and copy of their written explanation is herewith transmitted for the information of the Resident.

Para. 4. In this paragraph the Resident writes: "During the illness of Pannuck Bhachurbaee" it appears that Baba Nafra had got him to "pass a paper constituting him the sole manager" of the firm, and which paper he retained possession of; therefore it is extraordinary at the arrangement for the affairs of such a great firm that "none of the respectable inhabitants of the city had" been present; and further, this paper does not "appear to have been attested by any other party; such being the case, the Sirkar's opinion on this subject is required," &c. In reply, be it known, that the granting of such a deed under the above circumstances is a matter of pleasure with the party granting it; and, in case of such a deed being passed in the handwriting of the party granting it, and bearing his signature, even if it be not attested by witnesses, and no sufficient reason be shown for such omission, still it would be difficult to declare such a document" null and void.

Para. 5. In this paragraph the Resident writes: "The deposition of Dhulleeya Bhannah, No. 41," is noticed and brought upon the summary in this case, and to this deposition is attached voluminous details, which however is not noticed in the said summary; further, in the last bund of this deposition a piece of paper of "about the size of seven or eight fingers breadth" has been introduced, and which original deposition has been transmitted, and consequent "upon the circumstances above noticed, the opinion" of the Maharaj is requested as to whether suspicion attaches thereto, or otherwise; and the reason for the contents of this deposition not being noticed in the summary should be furnished, &c. In reply to the above be it known, that in the investigation of this affair, Bhasker Row Wittul and Bheemashunker Ghungadhur Shrastree has been appointed, and they have been referred to regarding the suspicious circumstances attached to the above adverted to deposition, and copy of their reply is herewith transmitted, from the perusal of which the Sahib will become informed upon this point.

From the above paragraphs the subject will become elucidated.

Enclosure 1 to the above Yad.

TRANSLATE of the Examination by Baba Dao Rao of Woman Rao Venkettesh, alias Baba Nafra, dated Post Sood 12, S. 1907 (14 January 1851.)

Question. From Bhachurbhaee Sammul's widow, Joutabaee Settanee, you obtained a leckh, in the name of the Sirkar, and which leckh contains an admission upon the part of the aforesaid Suttanee, that the boy is not her son, and a request that he might be restored to the parties from whom he had been obtained, &c., in the handwriting of Bhugwan Buwaneedass; and a copy of this leckh had been produced by you before the investigation instituted in the above case before Meer Surfrag Ali, &c., therefore you are required to explain whether the above leckh you caused to be executed by the orders of the Sirkar, or otherwise, and where the original leckh obtains at present, and what prevented you to get a leckh of such a description executed in the presence of a government employé and some of the other goomashtas of the firm, instead of having it executed and witnessed by Desaye Dyashunkur and Bhugwan Buwaneedass; "answer upon the above three points you are required to subscribe to this question."

Remarks by Baba Dao Row.—Upon the above question being put to Baba Nafra, he, Baba Nafra, has replied, that he had got the leckh executed by the Sirkar's orders, and that he had delivered the said leckh to the Sirkar after having got it executed; and further, that there was no order from the Sirkar to have the leekh attested by the government kamdar or any other goomashta of the firm, and that therefore the leckh in question had not been attested with the signatures of the government kamdar or any of the other goomashta, of the firm; and further, he said that he would not, after writing his answer, subscribe

subscribe his signature thereto; upon which, in the presence of the Baba, has this remark been made.

Dated as above, 10 or 15 minutes after 5 o'clock p. m.

In the handwriting of Baba Dao Row.

Enclosure 2 to the above Yad.

TRANSLATE of an Account with Desaye Dyashunkur in S. 1902 (1846).

Cr.	*Rs.*		*Dr.*	*Rs.*	*as.*	*ds.*
			Assoo Vud 30th, S. 1901 - - pd.	20	–	–
			Jaist Vud 3d - - - - „	801	–	–
			Balance due up to Jaist Vud 30th - -	400	–	17¾
			Assoo Vud 5th - - - - pd.	300	–	–
			Total *Rs.* - - -	1,521	–	17¾
			S. 1903.			
Received in S. 1903, Jaist Sood 6th -	850	– –	Balance due - - - - -	1,521	–	17¾
			Post Sood 8th - - - - pd.	100	–	–
			Maha Vud 9th - - - - „	2,025	–	–
			Maha Vud 11th - - - - „	200	–	–
			Phalgoon Sood 10th - - - „	125	–	–
			Phalgoon Vud 3d - - - „	50	–	–
			Totals *Rs.* - - -	4,021	–	17¾
Received in S. 1904, Jaist Sood 2d -	200	– –	Balance due - - - - - -	3,071	–	17¾
Ditto - - „ - Jaist Sood 10th -	950	– –	Bhadurwa Vud 8th - - - pd.	600	–	–
Total *Rs.* - - -	1,150	– –	Total *Rs.* - - -	3,671	–	17¾
			Deduct - - - - -	1,150	–	–
			S. 1905.			
Received in S. 1905, Jaist Sood 2d -	200	– –	Balance due - - - - - -	2,521	–	17¾
Ditto - - „ - Jaist Sood 5th -	950	– –	Jaist Sood 11th - - - - pd.	201	–	–
			Assad Vud 4th - - - - „	550	–	–
Total *Rs.* - - -	1,150	– –	Bhadurwa Sood 15th - - - „	300	–	–
			Assoo Vud 6th - - - - „	24	14	–
			Assoo Vud 10th - - - - „	125	–	–
			Total *Rs.* - - -	3,722	–	5¼
			Deduct - - - - -	1,150	–	–
Received in S. 1906, Jaist Sood 2d -	200	– –	Balance due - - - - - -	2,572	–	5¼
Ditto - - „ - Jaist Sood 15th -	950	– –	Karteck Vud 1st - - - - pd.	51	–	–
			Vysack Sood 3d - - - - „	6	–	–
Total *Rs.* - - -	1,150	– –	Jaist Sood 2d - - - - „	950	–	–
			In the month of Jaist - - - „	500	–	–
			Interest for four years - - - -	737	6	–
			On account of Bate - - - -	4	–	–
			4 Bulsees of Mut - - - - -	48	–	–
			Total *Rs.* - - -	4,868	4	17¾
Funeral expenses - - - - - -	500	– –	Balance due up to Jaist Sood 2d - -	3,218	4	17¾
			Paper receipted by Desaye Dulla Nunsturn - - - - - - - -	2,306	4	–
Rs.	1,650	– –	Balance due - - - - - -	912	–	17¾

The above Balance Lulloobaee agrees to as correct.

Enclosure 3 to the above Yad.

TRANSLATE of a Yad from Hurree Ghungadhur Karkoon in the Adawlut at the City of Baroda, to his Highness the Guicowar, dated PostSood 14th, S. 1907 (16 January 1851.)

A MANDATE from his Highness the Guicowar Sirkar having been directed to us, ascertain from Bhasker Row Wittul and the other members of the Punchayet appointed to investigate the case of Joutabhaee Settanee's son's abduction, their reasons for not having noticed in their summary, and bringing upon the proceedings in such case the first deposition of Phunnee, woman, dated Chytur Sood 7th, S. 1903 (23 March 1847), deposed to by her at Hurree Bhucktee's, and adverted to by her in her subsequent deposition, I called upon them for such explanation, when they answered, that in consequence of the two subsequent depositions given by this deponent, Phunnee, and the substance of such depositions regarding the boy being similar to the first deposition given by her at Hurree Bhucktee's, that therefore they did not consider it necessary to notice it separately. This is submitted for the information of the Sirkar.

(signed) *Hurree Ghungadhur.*

Enclosure 4 to the above Yad.

TRANSLATE of a Yad from Hurree Ghungadhur Karkoon in the Adawlut at the City of Baroda, to his Highness the Guicowar, dated Post Sood 14th, S. 1907 (16 January 1851.)

IN obedience to the mandate issued to me to ascertain from Bhasker Row Wittul and the other members of the Punchayet (nominated to conduct the investigation in the case of the abduction of Joeetabaee's son), their reason for not having noticed the details of the depositions of the Amleeyara Tullaveeya Dhulleeya Bhanna, No. 41, I called upon the above parties for such explanation, and they replied that they had noticed in their summary, and introduced upon the proceedings in this case such portions of the evidence as they considered to be useful and necessary. The above is submitted for the information of the Sirkar.

(signed) *Hurree Ghungadhur.*

21.

TRANSLATE of a Yad from the Resident, dated 13 January 1851, No. 42, to his Highness the Gaekwar.

THE following information regarding the impending case of Joeetabaee Settannee's son's abduction is considered indispensably necessary.

Para. 1. From the deposition of Baba Nafra, noticed in the summary as No. 100, it would appear that the proofs of the payment to Sulloo Bhugwan of the sum of 15,000 rupees, on account of this boy, obtain in the books, therefore it should be ascertained on what date the affair of the boy had transpired, on which date the above sum had been disbursed, and in what book the entries of such disbursements had been made.

2. From the deposition of Bhugwan Buwanneedass it would appear that a leckh, in the name of Purshotum Bhachurbhaee, securing to Bhannabhaee, the father of Joeetabaee Settannee, an annual stipend of 200 rupees for ever, had been executed and granted; but no notice of this, however, appears to be taken in the summary; and further, it does not appear that Bhannabhaee had been interrogated upon this point, therefore an explanation regarding this leckh, together with the original leckh, should be submitted.

3. Information should be furnished as to the period within which the "Bhaesa" ceremonies should be performed on the birth of a child.

4. Information should be furnished regarding the respective dates on which Baba Nafra had imprisoned Lulloo Bhugwan, &c., at the firm of Hurree Bhucktee; and subsequently had caused those parties to be incarcerated by the Gaekwar Sirkar, and the reason why they had been so confined.

5. From the depositions of the Meetapoor people, taken at the Durbar, during the investigation of the case of this boy, the exact age of the child when said to have been given up does not appear, therefore it is requested that the exact age of the boy determined upon by the Gaekwar Sirkar should be furnished in writing by the Maharaj.

From what is above written, the subject will become understood, therefore the necessary information should be at once submitted.

22.

TRANSLATE of a Yad from his Highness the Gaekwar to the Resident, dated the 20th Moon of Rubbul Ahwul, S. S. 1251, Post S. 1907 (23 January 1851.)

A YAD from the Resident has been received, dated 13th January 1851, No. 42, calling for immediate information regarding the points mooted in the five paragraphs of the said yad, and which is submitted as under:—

Para. 1. In the first para. the Resident writes as follows: "In Baba Nafra's deposition, No. 100,

No. 100, adverted to in the summary, it is stated that the sum of 15,000 rupees had been given to Lulloo Bhugwan in the affair about this boy, and that proofs in substantiation of such payment obtained in the chopras, therefore it is requested that information be obtained and furnished regarding the particular date on which the affair about the boy had been concluded; also, that on which the payment was made, and what date and in what chopra was the same entered." With reference to the above, Sumbooram having been instructed to make inquiries, he has presented a yad, together with two enclosures, on the subject, and copies of these papers are sent with this memo., from the perusal of which the subject will become elucidated.

2. In the second paragraph, the Sahib writes as follows: "From the depositions of Bhugwan Buwanneedass and others, it would appear that a 'leckh' had been drawn up in the name of Parruck Phurshotum Bhachur, in favour of Bhannabhaee, the Settannee's father, securing to him a stipend of 200 rupees annually for services rendered; but as this leckh is not noticed in the summary in this case, drawn up by the punchayet, it would appear that Bhannabhaee and others had not been examined regarding it." In reply, be it known that, in the first instance, we nominated Meer Surfrazali and Gopal Row Myral to investigate this case; and, subsequently, we named Bhasker Row Wittul and Bheema Shunker Ghungadhur Shastree to the same office of these parties upon Bhow Thambakur making inquiry, the members of the first punchayet answered that they had interrogated the Baba regarding the leckh in question, and that the Baba replied that the original leckh had been by him given to Joeetabaee Settannee; and that upon this, that they intended to have interrogated Joeetabaee and her mother Laeedbaee, but were prevented carrying out such intentions, owing to the non-attendance of the above parties at the investigation of the case; and upon the members of the subsequent punchayet being referred to, they replied, that upon their inquiring of Joeetabaee Settannee about this leckh, that she answered that she had it not; and that, consequently, the particulars about this leckh had not by them been noticed in their summary. From the above, it will become known why the original leckh had not been brought in upon the proceedings in this case.

N. B.—Joeetabaee was examined by them several times.

3. In the third paragraph, the Resident writes upon the birth of a child within what space "of time is it usual for the 'bharsa' ceremonies to be performed." With reference to the above, be it known that it is the established rule to perform this ceremony upon the 12th day after the birth of the child; but in cases where deaths occurring in the family, and other causes occurring to prevent its being observed upon that particular date, it may be performed at any future time before the infant commences to use food.

4. In paragraph fourth, the Sahib writes, "Information is required as to the date on which Baba Nafra caused the confinement of Lulloo Bhugwan and others, at the firm of Hurree Bhucktee; and the space which intervened from the time they had been so confined, and their being made over for confinement by the Gaekwar Sirkar, and the cause of their being so confined." With reference to this, be it known that the Baba confined the above parties in the month of Chytur S. 1906 (April 1850), but the particular date cannot be ascertained; and Lulloo Bhugwan having entertained certain mercenaries, corrupted the goomastas of the firm, and got them to leave the firm, and join him; for the above reason, in Vysack Vud 30th (10 June 1850) he was caused to be imprisoned by this Sirkar.

5. In paragraph fifth, the Sahib writes, "From the Meetapoor people's depositions regarding this boy, taken at the Durbar, it cannot be determined on what date, and the exact age at which the boy had been given, therefore the Gaekwar Sirkar is required to afford information in the above points." In reply, be it known, that upon the members of the first punchayet, Meer Surfrazali, &c., being referred to upon this point, they have presented a yad, copy of which is herewith inclosed, from which the Sahib will become informed.

From the above paragraphs, the subject will become elucidated.

Enclosure 1, to the above Yad, from his Highness the Gaekwar.

TRANSLATE of a Yad from Sumbooram Kooshall to the Gaekwar Sirkar, dated Post Vud 3d, S. 1907 (20 January 1851).

IN the deposition of Baba Nafra, taken at the investigation instituted regarding the abduction of the son of the widow of Bhachur Sammul Joeetabaee Settannee, he states that the sum of 15,000 (fifteen thousand) rupees, had been paid to Lulloo Bhugwan, and having been ordered by the Gaekwar Sirkar to institute every inquiry to ascertain in what chopra, and how this sum had been debited, I beg to submit that upon inquiry at Hurree Bhucktee's, they gave me a memorandum of the "jumma kurch" regarding this sum of 15,000 rupees being to be paid Lulloo Bhugwan by the Baba; and upon consulting this memo., it would appear that this sum had been debited to the account of Treekum Bhookun, and paid to Mhodee Phurboodass; and upon this the said Phurboodass Amerjee was called, and made to give in his depcsition upon this subject, and his chopras I also inspected. It would appear that in the month of Jaist, in S. 1903 (May, June 1846), by different entries, the sum of 15,000 rupees had been credited to Lulloo Bhugwan by the said Treekum Bhookun; and from this amount the sum of 4,012 rupees would appear to have been drawn by the said Lulloo, and the balance 10,988 rupees from that time appears to remain there

credited to the said Lulloo Bhugwan. And from the memo. from Hurree Bhucktee's, and copy of the deposition of Mhodee Phurboodass Amerjee sent enclosed with this yad, the subject will become elucidated.

Enclosure 1, to Sumbooram Kooshall's Yad.

TRANSLATE of the Memo. from Hurree Bhucktee's, dated Post Sood 15th, S. 1907 (7 January 1851).

IT being stated in the depositions in the case of the abduction of Joutabaee's son, that the sum of 15,000 rupees had been given by Baba Nafra to Lulloo Bhugwan, and the Sirkar having ordered that the date on which this sum had been paid, and in what chopra the entry of the same had been made, upon inquiry from the firm, it has been ascertained that the Meetapoor walla, on account of Moteelallbhaee, had gone to Bhannabhaee's, and from thence had come to the firm, and produced a leckh, passed in the name of the said Bannabhaee on the 11th Phalgoon Sood, S. 1903 (25 February 1847), and upon that same day is the sum of 15,000 rupees entered in a memo., as paid to Lulloo Bhugwan; and, upon inspecting the chopras of the firm on Vysack Sood 8th and 9th, S. 1903 (23 and 24 April 1847), this sum is debited to the account of Bhachurbhaee Sammuldass, the "jumma kench" of which is credited, through Parruck Hurgovind Nurrotum, to the account of Parruk Treekumdass Bhookundass, in Vysack Sood 8th, S. 1903 (23 April 1847), and which, by the owner's orders, had been paid indirectly to the Mhodee Phurboodass Amerjee, on 1st Jaist Sood 3d, S. 1903 (17 May 1847). Thus is it written in the chopras.

Enclosure 2, to Sumbooram's Yad.

TRANSLATE of the Deposition of Mhodee Phurboodass Amerjee.

Question. IN S. 1903 (1847), it would appear that upon the adjustment of the "jumma kench" of Treekum Bhookun, the sum of 15,000 rupees had been brought to your shop from Hurree Bhucktee's, and if this sum had been actually brought, you are required to prove by your books under what circumstances it had been so brought?—*Answer.* In S. 1906 (1847), Lulloo Bhugwan came and said to me that the sum of 15,000 rupees was deposited in the firm of Hurree Bhucktee, to the credit of Treekum Bhookun, and requested that I should receive charge of the same; to this I replied that I did not then need the sum, but that if he chose to deposit the same he might do so upon "Sowcarry terms", and, he having agreed to this, the firm of Hurree Bhucktee caused this amount to be paid over to me by various Sowcars; but the dealing was between myself and Lulloo Bhugwan, and, agreeably to his instructions, this sum I carried to his account.

You are required to state particularly how you had credited this amount in your books?—In my books, the sum has been carried to the account of Treekum Bhookum as under:—

		Rs.	*Rs.*
Received from various parties in S. 1903 (1847) - - -		- - -	15,000 - -
Viz.:—			
Received from Eshwar Kessow Lalla, up to the 1st Jaist Sood 2d, S. 1903 (*vide* leaf 69) - - - - - - - - -		3,050 - -	
Ditto - Parruck Moolchund Sowlall -	1,550 - -		
Amount due by me to Eshwar Kessowlall, adjusted - - - - - - - - -	1,500 - -		
	Rs. 3,050 - -		
Caused to be paid by Purmanund Nurbaram, up to Jaist Sood 3d (*vide* leaf 69) - - - - - - - - - - -		3,000 - -	
Received from Haimchund Vuckutchund - -	1,000 - -		
Ditto - Gunnesh Eshwur - - -	2,000 - -		
	Rs. 3,000 - -		
Received up to Jaist Sood 3d, as under (*vide* leaf 69) - -		4,650 - -	
From Parruck Hurree Bhucktee, the name of the party who had paid this amount not entered - - - - - - - - -	2,150 - -		
Ditto - Purmanund Nurbaram - -	2,500 - -		
	Rs. 4,650 - -		
Carried forward - - - £.		10,700 - -	15,000 - -

	Rs.	Rs.
Brought forward - - -	10,700 - -	15,000 - -
Received from Purmanund Nurbaram, up to * - - - - -	1,000 - -	
Ditto, on Sood 11th, by Nurrotum Kerjee - 600 - -		
Ditto - ditto by whom, however, not mentioned (*vide* leaf 69) - - - - - - 400 - -		
Received from Purmanund Nurbaram - - - Rs. 1,000 - -		
Received from Purmanund Nurbaram, by the hands of Parruck Phurboo Succeedass (*vide* leaf 75) - - - - - -	2,000 - -	
On Jaist Sood 4th, Purmanund Nurbaram paid to Lalibhaee Hurjeoun, and carried to the credit of Jeekum Bhookum -	1,300 - -	
Rs.	15,000 - -	
From the above sum, Lulloo Bhugwan drew the following amounts Viz.:—	- - -	4,012 - -
Paid, on Jaist Sood 4th, by ready cash, by order of Lulloo Bhugwan, to Kalleedass (*vide* leaf 80) by the hands of Jummadass	1,225 - -	
Ditto - Jaist Vud 2d, by ready cash (*vide* leaf 80) to Lulloo Bhugwan himself, who paid it to Kalleedass - - -	1,500 - -	
Ditto - Jaist Vud 3d, - ditto - - (*vide* leaf 80) delivered to Kalleedass, at his own house - - - - - -	500 - -	
Ditto - Assoo Sood 1st, - ditto - to Kalleedass, who delivered it over to Lulloo, at his house (*vide* leaf 80) - - -	775 - -	
Bhadurwa Sood 5th, paid by ready cash to the son of Lulloo Bhugwan Jummadass (*vide* leaf 169) - - - - -	12 - -	
Rs.	4,012 - -	
Balance - - - Rs.		10,988 - -

* Date not inserted in the original.

According to the above, the sum of 15,000 rupees was, by Lulloo Bhugwan, caused to be paid by Teekum Bhookun; and subsequently, as detailed above, he drew the sum of 4,012 rupees from the amount deposited with us; and the balance, 10,988 rupees, as before alluded to, remains with us. This is my explanation, and there is no difference in what is above stated.

(signed) *Mhodee Pharboodass Amerjee.*

Enclosure 2, to the above Yad, from his Highness the Gaekwar.

TRANSLATE of a Yad from Hurree Ghungadhur Karkoo Naibut, Adawlut Baroda, to his Highness the Gaekwar, dated Post Sood 14th, S. 1907 (16 January 1851).

"IT not appearing how many days or months old the Meetapoor boy was at the time of his being given away, in the case of Joitabaee Settanee, from the proceedings instituted in this case, therefore it is directed, that Meer Surfraz, Ali Gopal Row Myral, Trimbuck Shastree Munnore, and Bappoo Myral Shastree, be called upon to supply such information." Thus, it being ordered, thereupon, upon inquiry of the above parties, they state that the required information might have been obtained when the inquiry was going on; but, consequent upon Landbaee and Joitabaee Settannee having failed in attending the inquiry when required to do so, that they were prevented from obtaining the information at present required.

23.

TRANSLATE of a Yad from the Resident to his Highness the Gaekwar, dated 18 January 1851, No. 64.

IN the investigation of the case of Joitabaee Settanee, the widow of Bhachur Samuldass, of the firm of Hurree Bhucktee, the following information is considered necessary; viz.,—

Para. 1. The yad from Settanee Maha Luxamee, dated Shrawun Vud 11th, S. 1903 (5 September 1847), is noticed in the Summary as No. 95; the original of this yad should be kindly furnished to the Resident.

2. Amongst the members of Goozarattee Brahmin caste, if any boy be married to the daughter of a Brahmin, and subsequently, upon its being discovered that the boy in question belongs to a different caste, what measures is it necessary to adopt to have this lad admitted into the Brahmin caste, and whether the parents of the girl so married, together with the girl herself, are expelled from or permitted to remain in the caste.

3. The date on which Meer Surfraz Ali, &c., had been appointed to investigate the case of Joutabaee Settanee's son's abduction should be furnished.

The above should be taken into consideration, and an early reply sent to this yad.

24.

TRANSLATE of a Yad from his Highness the Gaekwar to the Resident, dated the 20th Moon of Rubbil Ahwul, S. S. 1251, Post S. 1907 (23 January 1851).

A YAD has been received from the Resident, dated the 18th January 1851, No. 64, calling for immediate information on the points mooted in the three paragraphs contained therein, and which I beg to submit as under. With reference to the request contained in the first paragraph, that the original yad from the Maha Luxamee Settanee, dated Shrawun Vud 11th, S. 1903 (5 September 1847), copy of which, No. 95, had been brought upon the summary in this case, should be submitted, I beg to transmit with Sumbooram Kooshall:

In the second paragraph, it is stated as follows:—"If any boy of the Goozerattee Brahmin caste be affianced to a girl of the same caste, but, upon its subsequently being discovered that the said boy belonged to another caste, what ceremonies require to be performed to sanction such boy's admission into the caste, and whether the girl so affianced to such boy, together with her parents, be considered as out of the caste, or otherwise" In answer to the above, be it known, that as there are many sects amongst the Goozerattee Brahmin caste, each sect have their own peculiar rules; therefore it is stated that the particular sect of Goozerattee Brahmins with whom the above parties are connected be pointed out, so as to enable an inquiry to be instituted. The necessary information will be obtained and furnished.

In the third paragraph, the date of the appointment of Meer Surfraz Ali and others, to investigate the case of the said Joutabaee Settanee's son's abduction, is called for; for the attainment of such information Meer Surfraz Ali, Gopal Row Myral, and others, being referred to, they state that they have no recollection of the date upon which they had been so appointed by the Sirkar; this information the late Maharaj possessed, but no documents exist at present from whence to glean such information; but if the date from which the case had been commenced be required, and the Resident writes to signify his wishes, the same will be submitted for the Sahib's information.

From the above paragraphs the subject will become elucidated.

25.

TRANSLATE of a Yad from the Resident to his Highness the Gaekwar, dated 26 January 1851, No. 67.

IN the case of Joutabaee Settanee, Maha Luxameebaee, the elder widow of Bhachurbhaee Sammuldass, of the firm of Hurree Bhucktee, had presented a petition to the Gaekwar Sirkar, dated Shrawun Vud 11th, S. 1906 (5 September 1847.) This yad the Resident had written for, and has been received; and, with reference thereto, the Resident desires that it be ascertained by whom the yad in question had been written, and the result submitted for his information.

26.

TRANSLATE of a Yad from his Highness the Gaekwar to the Resident, dated the 20th Moon of Rubbil Ahwul, S. S. 1251, Post S. 1907 (23 January 1851).

IN the yad received from the Resident, dated 20 January 1851, No. 67, it is requested that the name of the party in whose handwriting the yad, dated Shrawun Vud 11th, S. 1903 (5 September 1847), presented to the Gaekwar Sirkar, and subsequently transmitted by this Sirkar to the Resident, on the part of the widow of Parruck Bhachur Sammuldass, Maha Luxameebaee Settanee obtains, should be ascertained and furnished for the information of the Resident. With reference to this request, be it known that Sumbooram Kooshall, having been deputed to obtain this information from the said Maha Luxamee Settanee, the Settanee informed him that, without inspecting the yad, she could not inform him in whose handwriting it obtains; consequently it is requested that the said yad be furnished to this Sirkar, for the purpose of being submitted for the inspection of the said Settanee, with the view of procuring and furnishing the required information.

27.

TRANSLATE of a Yad from the Resident to his Highness the Gaekwar, dated 22 January 1851, No. 76.

THE attendance of Jhossee Treebann Khan, of Baroda, being considered necessary at the impending investigation of Joutabaee Settanee's case, the Gaekwar Sirkar is requested to kindly cause the attendance of this individual at the residency; but, in the event of this individual not being at the present time alive, it is requested that the date of his demise, a memo. of the amount disbursed on the above account, and proofs of the sums drawn on this occasion from the firm of Hurree Bucktee, should be furnished for the information of the Resident.

28.

TRANSLATE of a Memo. from his Highness the Gaekwar to the Resident, dated 24th Rubbil Ahwul, S. S. 1251 (26 January 1851).

IN a yad received from the residency, No. 76, dated 22 January 1851, it is stated, "as the attendance of Jhossee Treebann Khan is considered necessary, he should be sent; and, in the event of this person not being alive, the accounts, with proofs of the disbursements made consequent upon his demise; and, regarding such disbursements, any amount which may have been advanced from the firm of Hurree Bhucktee; proofs on this point also, together with any writing obtaining in the hand of the said Jhossee, should be ascertained, and the above adverted to documents should be transmitted." In reply, be it known that, upon making inquiry into the above points, it has been ascertained that the said Jhossee Treebann had in Phalgoon Sood 12th, S. 1904 (A.D. 12 March 1848), died, and, upon interrogating his widow about the disbursements made on account of his funeral, she has given in a deposition, and copy of which is herewith transmitted; and from such deposition it would appear that, including the disbursements made on this account at Cambay, and in the city of Baroda, amounts to about 4,000 rupees; but this deponent states that she did not keep an account of such disbursements; and, upon this point, to ascertain the advances which might have been made from the firm of Hurree Bhucktee, upon inquiry of the manager of the said firm he states that, from the books of the firm there does not appear that any advances had been made upon this account; and further, a paper being shown by the manager of the firm of Hurree Bhucktee, and which is stated to be in the handwriting of the said Treebann, is herewith submitted for the Sahib's information.

TRANSLATE of the Examination of Jumna, Woman; Religion, Hindoo, Widow of the late Josee Trebhowun Khan; Caste, Mhode Brahmin; aged about 30 years; residing at the Pole of Samul Bechur, at Baroda, taken on Post Vud 8th, St. 1907 (25 January 1851).

Question. WHEN did your husband, Trebowun Josee, die, and how many years has since elapsed?—*Answer.* On Phalgoon Sood 12th (14 March 1851), of the present year, three years will have elapsed since my husband's death.

What sum of money was expended on account of your husband's funeral?—The people of my caste, and the Chorasee Brahmins, were feasted to the amount of 2,000 rupees; as also every caste people at Cambay, of which place I am a native, another 2,000 rupees were expended. This is what I recollect, and the same I, from recollection, make known, but being a female how can I be expected to know correctly?

Did you, on account of the funeral expenses of Trebowun Josee, receive anything from the firm of Hurree Bhugtee; and, if you did, state how much?—From the above-named firm I received nothing on account of my husband's funeral expenses; although, upon my sending a person to the Baba, he kept promising to assist me, but up to the present time I have received nothing whatever from him; no difference exists in what I have above deposed to.

The mark × of *Junna*,
traced with her own hand.

Dated as above.

Witness. (signed) Brahmin Nurrotum Hurjeevun.

Examination resumed.

Question. Have you an account of the amount expended on account of your husband's funeral ceremonies; and, if so, where is it?—*Answer.* Being a female, and childless, why should I have kept any account of the amount expended? and further, since the above amount was expended in charity, what necessity existed for any account being kept? for the above reasons I have kept no accounts, and neither do I possess any such accounts.

The mark × of *Junna*,
traced with her own hand.

Dated as above.

Witness. (signed) Brahmin Nurrotum Hurjeevun.

29.

TRANSLATE of a Yad from the Resident to his Highness the Gaekwar, dated 25 January 1851, No. 90.

IN answer to a yad from the residency, No. 64, a yad, dated the 20th Moon of Rubbel Ohwul, S. S. 1251 (23 January 1851), had been received from his Highness the Gaekwar, and with reference to which it is written, as follows:

Para. 1. The Gaekwar states in the second paragraph, "that, consequent upon there being many sects amongst the Guzerattee Brahmins, the Resident should name the sect he requires information about." With reference to the above, be it known, that information is not needed about the Brahmin caste, but should, amongst the "Veesa Land" caste, a boy be discovered as belonging to another caste, what ceremonies would it be necessary to adopt, and what steps taken in the matter; and, regarding this point, inquiry should be made, as directed in the second paragraph of the Resident's yad, No. 64.

2. In the third paragraph, the Gaekwar Sirkar states, that as Meer Surfraz Ali, and his colleagues, do not recollect the date in which they had been nominated members of the punchayet, to investigate the case of Joutabhaee Settannee, that such date cannot be furnished, but that the date upon which the investigation had been commenced will be furnished, and with reference to which it is requested that such information should be kindly expedited.

30.

TRANSLATION of a Yad from his Highness the Gaekwar to the Resident, dated 27th Rubbil Ahwul, S. S. 1251 (30 January 1851).

A YAD was received from the Resident, dated 26 January 1851, No. 90, requesting certain information regarding the custom prevailing amongst the Veesa Land Banians, and the date on which the punchayet first sat to investigate the case of Joetabhaee. In reply, I beg to state as follows. It is asked in the yad from the residency, if the supposed son of a Veesa Land Banian turns out to be that of another caste, what ceremonies are performed to bring that boy into the caste? On this subject, inquiries should be instituted. In reply, this government begs to state that the chiefs of the Veesa Land Banian were called, and having been asked, through Sumbooram Kooshall, they state that, amongst the people of their caste, no such circumstance ever occurred, except once; therefore, they cannot say what the necessary ceremonies are on such occasions. In the year S. 1903 (1847), they say that the son of the younger Settannee, of Bhachurbhaee, of the firm of Hurree Bucktee, was found to be of another caste, and was accordingly returned. On this, they were asked how they came to know the boy to be of a different caste, and whether the bride and her parents were also departed from the caste or not. They replied, that whose son the boy was, and from whence he was brought, they did not question, nor did any one tell them but Nafra, &c., at the shop, and asked them whether it was customary to admit the son of a kolie in their caste? They replied that it could not be done; that the girl was not married, being of tender age, and was not knowingly betrothed to a koolee's son. Consequently, the caste people made no arrangement regarding the difference of caste. Copies of the questions put to the above-stated persons, and their replies, are herewith sent, from which the Resident will know the whole.

It is stated in the yad, to furnish the date in which the punchayet sat to investigate Joetabhaee's case; in reply, this government begs to state that, from a reference to the proceedings, it appears that on the 9th Bhadurwa Sood 1904 (7 September 1848), the punchayet just sat to investigate the case.

The above paragraphs are written for the Resident's information.

Enclosures to his Highness the Gaekwar's Yad, of 30 January 1851.

TRANSLATE of the Deposition of Dulput Dyaljee, Damother Gopul, Bhucktee Bhugwan, Ruttonjee Khandass Parruck, Nurrotum Keshour Parruck, Govindass Kalledass Dosee, Dolub Hurjeewun Parruck, Hurgovind Bhucktee, Parruck Phurboodass Kussee, Kessowlul Goolabhaee, Goredhan Nurseedass, &c., made at the Durbar in Psut Vud 12, S. 1907 (29 January 1851).

Question. IF a person in your caste marries his son to the daughter of another in your caste, and some time afterwards it is found out that the said boy is of a different caste, state what ceremonies are performed to admit the boy into your caste, and whether the bride and her parents are turned out of the caste, or how?—*Answer.* From our infancy to the present time we never heard of the sons of a person of our caste, viz. Veesaland Brahmin, having turned out to be of a different caste, consequently how can any ceremonies be performed to admit the children of the parents into the caste, when such a thing is not known? No arrangement whatever has been made on this account in our caste up to this time; and as the Sirkar has put this question to us, how can we reply? About the year S. 1903 (1847), in our caste, the son of Joetabhaee Settannee, the widow of Bhachurbhaee,

of

of the firm of Hurree Bucktee, turned out to be of a different caste, and was accordingly returned; besides this no other case has occurred.

You have stated that you never heard of a boy supposed to be of your caste, state what steps then did you take to ascertain whether Joetabhaee's son was of a different caste, and what arrangement was made regarding the bride and her parents, and according to the custom or shaster the same was made?—In the year S. 1903 (1847), the date is not known, but one day Baba sent for us, about 25 persons of our caste, and merely asked us if we would admit a koolie's son in our caste; we replied, that a Banian would never keep a koolie's son as his own: thus, in an ambiguous way Baba put the question to us, but what boy, of what kolee, how brought, and whether the boy was really a koolie's son or not, no one told us, and the parents of the boy were not sent for, nor any inquiry instituted for our satisfaction. We were merely asked if we would admit a kolie's son; we replied in the negative. Baba himself made over the Settannee's son to the kolie, at which time we were not present, nor can we satisfactorily say whether the boy was of a kolie or not, nor was the girl (3 years old) knowingly betrothed to the boy as the son of a kolie, nor were they married, consequently no ceremony or punishment was awarded to the girl or to her father.

(signed) *Dulput Dyaljee*, &c. &c. &c.

Question. If, in your caste, a betrothal takes place between a boy and a girl, but before their marriage a dispute occurs between the parents of the children, does the betrothal become void?—*Answer.* In our caste on a betrothal a writing is made, signed by the "gor" or priest of our caste as a witness; should a dispute hereafter take place between the parents of the children, the betrothal does not become void, so long as the bride and bridegroom are living.

(Signed as above.)

31.

TRANSLATE of a Yad from the Resident to the Durbar, dated the 25th January 1851, No. 94.

IN the Gaekwar Sirkar's yad, dated the 20th Moon of Rubbil Ah-wul (23 January), in reply to the Resident's yad, No. 64, it being stated, that the yad presented formerly by Maha Luxamee Bhaee to the Gaekwar Sirkar, dated Shrawun Vud 11, S. 1903 (5 September 1847), having been sent to the Resident, the necessary information regarding it cannot be obtained until such yad be returned, therefore it is requested that as the original yad in question has been handed over to Sumbooram Kooshall, the Maharaj will have the kindness to find out, as before desired, in whose handwriting the yad in question is, and submit this information as early as possible.

32.

TRANSLATE of a Memo. from his Highness the Gaekwar to the Resident, dated the 27th Moon Rubbil, S. S. 1261 (30 January 1851), Post S. 1907.

IN a yad received from the residency, No. 94, dated the 25th instant, it is stated, "In the case of Joutabaee Settannee, Maha Luxamee Settannee had given in a memo. to the Gaekwar Sirkar, dated Shrawun Vud. 11, S. 1903 (5 September 1847), and which has been returned to Sumbooram Kooshall, for the purpose of finding out in whose handwriting it is; and this information, it is requested, might be furnished in writing." In reply, be it known, that the original yad adverted to was taken by Sumbooram Kooshall to Maha Luxamee Settannee, and, upon his inquiring, she said, that Baba Nafra used not to consult her about anything he did, and that as a long time had intervened she had no recollection about is, thereupon her father was referred to as to the handwriting, in which the signature subscribed to the yad in question had been written, and in whose handwriting the yad itself was; he replied, that the Baba had prepared the yad at his own house, and then brought and asked him (the Settannee's father) to sign it, and that being so desired he had signed it, therefore the above information is submitted to the Resident, and the yad returned to the Sirkar with Sumbooram Kooshall, by the Resident, is herewith re-transmitted, and which, when no longer required, should be returned.

No. 95 of Appendix (H.)

Enclosure 1, to the foregoing Yad.

TRANSLATE of the Deposition of Settanee Maha Luxamee Baee, the Widow of the late Bhachar Sammuldass, of the firm of Hurree Bhucktee; dated Post Vud 11, S. 1907 (27 January 1851), taken by the Durbar.

Question. A MEMO. in your name, dated Shrawun Vud 11, S. 1903 (5 September 1847), in the Maharatta characters, was given to the Sirkar; this yad is being read over, and explained to you, and you are required to declare whether this yad had been written and presented

presented by your desire, or otherwise, and if you had desired it to be written, you are required to declare to whom, and under what circumstances you did so?—*Answer.* The yad adverted to in the above question having been read, and explained to me, I declare that this yad, being dated in S. 1903 (1847-48), three or four years have since intervened, and, consequently, how can I be expected to retain any recollection about it? Whatever Baba Nafra used to do, he never obtained my permission for so doing, neither used he to perfectly explain to me the nature of the measures he was about to carry into execution, therefore, in the same manner, this yad to the Durbar, the Baba having got written out and brought to me, I saw, and he might have informed me that he intended presenting it, regarding the Settanee's son, to the Sirkar. As he used to administer to the affairs of the firm, being duly appointed to do so, and everything connected with the firm being carried on agreeably to his wishes; therefore, this yad also may have been prepared in the same manner, but I have no recollection about this affair.

Dated as above. (signed) *Baee Maha Luxamee,*
in the handwriting of Waggoobhaee, by her permission.

Having been ordered to do so by the Hoozoor, Karkoon Purshotum had been despatched to take the above deposition.

Wednesday, Post Vud 11th, S. 1907 (27 January 1851). (signed) *Sumbooram.*

This deposition, and the Settannee's father's deposition consequent upon the receipt, from the residency of the yad, in the name of the Settannee, complaining about the son of Joutabaee Settannee, and which had been presented in S. 1903 (1847); this yad by whom and under what circumstances written, to ascertain which a yad having been received from the residency, and by the orders of the Hoozoor, the several depositions were taken, and the particulars written and transmitted for the information of the Sirkar.

Dated Post Vud 12th, S. 1907 (28 January 1851).

(signed) *Sumbooram Kooshall.*

Enclosure 2, to the foregoing Yad.

TRANSLATE of the Deposition of Wujjoobhoy Vancheedas Nisbut Hurree Bhucktee Parruck, dated Post Vud 11, S. 1907 (27 January 1851).

Question. A YAD in the name of Maha Luxamee Settannee, the widow of Bhachurboy Samuldass, dated Shrawm Vud 11, S. 1903 (5 September 1847), regarding the son of Joutabaee Settannee, which had been presented to the Sirkar, is this day shown to you, and you are requested to explain whether the Settannee's signature, which this yad bears, be in your handwriting, and if it be so, you are directed to declare by whose orders you wrote it, as also to faithfully declare in whose handwriting the yad in question is written? —*Answer.* The yad adverted to in the above question having been shown to me by the Sirkar, I having inspected it, do declare that the signature which it bears is in my handwriting, but that when and under what circumstances this yad had been prepared, I have no perfect recollection about; all that I remember is, that Baba Nafra having prepared the yad at his own house, had brought it with him, and desired that the Settannee's signature should be written upon it, that, thereupon, I wrote the signature upon the yad in the name of the Maha Luxamee Settannee; therefore, by whom the yad had been written, I do not recollect.

Since the signature of Maha Luxamee Settannee had been attached thereto, was it done by the orders of the Settannee, or how?—Up to the present time Baba Nafra had supreme power over the affairs of the Sett, therefore, he having directed me to sign, I, agreeably to the orders of the Baba, signed the name of Maha Luxamee Baee. There is no difference in what is now written.

(signed) *Wujjoobhoy Vancheedass,* in his own handwriting.

Regarding this matter, by the Hoozoor's mandate, a karkoon had been deputed, and the above deposition taken.

Dated Post Vud 11, S. 1907 (27 January 1851).

(signed) *Sumbooram Kooshall.*

On this subject a yad had been received from the residency, and an answer to the above has been written.

Dated Post Vud 12, S. 1907 (28 January 1851).

(signed) *Sumbooram Kooshall.*

33.

TRANSLATE of a Yad from the Resident to his Highness the Gaekwar, dated 28 January 1851. No. 100.

IN the investigation of the pending case of Joutabaee Settanee, the widow of the late Bhacharbhaee Sammuldass, from amongst the gentlemen composing the committee, a letter has been received by the Resident from the medical committee, dated the 27th January 1851, from which the following information connected with the above case would appear to be necessary; viz.

1st. Was the woman Phunnee employed by the above named Settanee Joutabaee in the capacity of the generality of female "loundées" or domestic servants, entertained upon wages for the purpose of assisting their mistress in bathing, dressing, &c., or was she employed in any other capacity?

2d. Is it usual with ladies in the family-way, who may have been deprived of their husbands by death, to remove from the house of their husbands to that of their parents, for the purpose of being accouched; or is it usual for such ladies to remain and be confined at the house of their husbands?

3d. Is the woman Phunnee considered to be of sufficient standing to have been permitted to be present when the said Settannee Joutabee is stated to have confessed that she had never had a son, and at the execution of the deed to the above purport, which the Settanee is said to have passed to Baba Nafra?

From what is above written, the Maharaj will be informed, and it is requested that he will be pleased to obtain and transmit the necessary information at his earliest convenience for the Resident's information.

34.

TRANSLATE of a Yad from his Highness the Guikwar, to the Address of the Resident, dated the 2d Moon of Rubbeel Abkur, S. S. 1251, Magsur Sumvut 1907 (4 February 1851); Camp Jumboosur.

IN a yad received from the Resident, No. 100, dated the 28th January 1851, it is stated, that "in the case of Joutabaee Settanee, a committee of gentlemen sat, and from the said committee a letter having been received from Dr. Ogilvie calling for information, which is considered necessary by the said committee, the same should be furnished;" the reply to the above request is contained in the following three paragraphs:

1. In the first para. it is stated "was the woman Phunnee employed with the above-named Settanee in the capacity of any other menial servant, on wages, or as a slave girl for the purpose of assisting in bathing the Settanee, dressing her mistress; or was she engaged in any other capacity?" in reply be it known, that the manager of the firm of Hurree Bhucktee, and the goomastas being questioned whether this woman Phunnee had been attached to the service of the said Settanee during the lifetime of the Settjee, or subsequently, and whether, besides this woman Phunnee, any other female was attached to the Settanee, or whether she alone had been so attached, they replied, that from the date of the Settjee's death, this woman, Phunnee, was attached to the Settanee as a confidential servant; and that subsequently a disagreement took place with her and the Settanee, owing to which the woman Phunnee was expelled for about 8 or 15 days, and after which she was again taken into service, and that the nature of the duties performed by the said woman Phunnee in the employ of the Settannee, either herself or the Settanee should know, and any information upon this point cannot be had from the depositions of the said goomastas; but it will be ascertained that excepting this woman Phunnee, no other female from the firm had been attached to the service of the said Settannee.

2. In the second para. it is stated, "If any woman's husband should die and leave such woman in the family-way, is it usual for such woman to go to the house of her parents for the purpose of being confined, or is it usual for the woman to be accouched at the house of her late husband?" with reference to which, the goomastas of the said firm were examined, and from their statements it would appear, that any woman's husband dying, his widow, be she enceinte or otherwise, is not expected to leave the house of her husband for a twelvemonth after his death, and this practice is observed by both the poor and rich members of their caste; but should any disagreement exist between such female and her late husband's relatives, and if she has nobody to assist her, then, from necessity, such female generally goes to the house of her parents for the purpose of being confined; such was the nature of the information furnished by the goomastas; yet notwithstanding the Setts of the "Veesaland Bunnian" caste were sent for and examined upon the same point, and from their statements it would appear, that any woman, being in the family-way, losing her husband, it is entirely left to her own option, whether she goes to the house of her parents for the purpose of being confined, or whether she remains at the house of her husband; but in most cases, females circumstanced as above, generally go to the house of her parents for the purpose of being confined; this it appears from their depositions, copies of which are herewith transmitted for the Resident's information.

3. In the third para. it is stated, "at the time of the passing of the 'leckh' by the Settannee, confessing that she had not been confined of the child, was the woman Phunnee of such standing to have been permitted to have been present on that occasion?"

in reply, be it known, that a dependent person in personal attendance is considered to be a fit person to be present on such occasions; but it solely rests with the owner to permit, in urgent cases, such dependents to be near, or to order them to go away.

From the contents of the above three paras., the subject will become elucidated.

TRANSLATE of the Examination of Peetambur Sewlall, the Chief Goomasta of the Firm of Hurree Bucktee, Wajjoobhaee Vancheedass, Itchalall Venarsee, Damothur Doollub, Bhugwan Buwanneedass, Bhyejee Ghailla, on Post Vud 14, Sumvut 1907 (31 January 1851).

Question. WOMAN Phunnee used to be in attendance upon the Settanee Joitabaee, therefore you are all required to declare, whether she had been so attached to the Settanee during the lifetime of the Settjee, or after his demise, and whether there were any other females in attendance upon the Settanee besides this woman Phunnee, and if there were, used the woman Phunnee to be more constantly in attendance upon the Settanee, or were the other females to be so?—*Answer.* From the date of Bhachurbhaee's death, the woman Phunnee was attached to the Settannee Joitabaee, and before the above event, she used to be engaged in the house, but not near Joitabaee, and at which time, excepting the woman Phunnee, no other female was in attendance upon Joitabaee; but after the Settannee had been confined of a son, other females commenced frequenting at the Settanee's house, but these females were not employed in her service; the only woman employed was Phunnee, and she used to do all business of importance; this we state from what we have heard; but of business of importance amongst females what knowledge could we be expected to have? but the summary of our statements is, that after the death of the Settjee, Phunnee woman was in attendance upon the Settannee Joitabaee, and subsequently after the Settanee's accouchment, about 15 days, the Settanee expelled the woman Phunnee from her service, and afterwards the rumour had gone about of the child having been procured, after which, the woman Phunnee was reinstated in her place.

Any woman being enceinte, losing her husband, and her time of accouchement drawing nigh, is it customary for her to be accouched at her parents' house, or at the house of her husband; the usage amongst your caste upon the above subject you should declare, and whether such usage is respected equally by the poor and affluent members of the caste?—Amongst our caste a female, either enceinte or otherwise, is not supposed to quit her husband's house for a twelvemonth, *i. e.*, a year after her husband's death, and this practice is equally observed by the poor as well as the opulent members of the caste, consequently females in the family-way, after the death of their husbands, are prevented from going to the house of their parents for the purpose of being accouched, but in cases of poor people being so circumstanced, if they have not the means of being provided with food and the necessary assistance required on such an occasion, they are compelled to quit their husband's house within the above-mentioned term, and go to the house of their parents for the purpose of being confined; but this is in cases of necessity; but if the circumstances of the husband's family be such as to secure to the widow food and the necessary assistance requisite upon such occasions, then it is not usual for the widow to go to her parents, but her accouchement takes place at the house of her husband's; this usage is respected equally by both the rich and poor members of our caste.

Dated as above.

(signed) *Peetamburbhaee Sewlalldass.*
Wujjoobhaee Vuncheedass.
Itcharam Vunnarsee.
Damothur Doollub.
Bhugwan Buwanee.
Bhoyejee Ghailla.

Taken in the presence of the Hoozoor, consequent upon Sumbooram Kooshall Bhaee having gone on his private affairs to Broach, by me.

(signed) *Pursotum Jhaddow,* Karkoon.

TRANSLATE of the Examination of the Baroda Setts of the Veesa Land Caste, *i. e.* Dhulput Dyaljee, Damother Ghokul, Bhucktie Bhugwan, Kessow Lall Ghailla, Ruttonjee Kandass Parruck, Nurrotum Purboodass, Bhawannee Dass Kalldass, Dullubjee Hurjeewan, and Nurrotum Koobair, on Maha Sood 1st, Sumvut 1907 (2 February 1851).

Question. ANY woman being enciente, losing her husband, and her time of accouchement drawing nigh, is it customary for such female to be accouched at the house of her parents, or at that of her husband; in such cases what is the usage amongst your caste?—*Answer.* Amongst our caste, if a female, who is enceinte, lose her husband, and such female at the time be residing at the house of her husband, when the time of her accouchement draws nigh, it is left optional to her whether she be accouched at the house of her husband, or go to the house of her parents for this purpose; but upon this subject, in our caste, there obtains no definite course to follow, but it is left optional with the female to adopt whichever

ever course she may think proper, but in the majority of cases it is usual for such females to go to the house of their parents for the purpose of being confined.

As stated in the above reply, is the rule equally respected by both the poor and affluent members of your caste, or does any difference exist?—As stated above, the usage is equally respected by both the rich and poor members of our caste, and no difference obtains.

Dated as above.

(signed) *Seth Dulput Dyal.*
„ *Damothur Ghocul.*
„ *Bhucktee Bhugwan.*
Sett Kessow Lall Bhugwanbhoy.
„ *Parrick Ruttanjee Khandass,* by Abbarum.
Nurrotum Koovurdass.
Sett Phurboodass Kasseedass, by Bhowanneedass.
Bheewanneedass Kalleedass.
Dhullubdass Hurjeewun.
Hurgovind Bhuckteedass.

Taken in the presence of the Hoozoor Kutcherry, consequent upon Sumbooram Khoosall Bhaee having gone on his private affairs to Broach, by me,

(signed) *Pursotum Jhaddow,* Karkoon.

35.

TRANSLATE of a Yad from the Resident, dated 1 February 1851, No. 121, to his Highness the Gaekwar.

AMONGST the caste of Goozeratte Brahmins and Banians it is usual to tie a "rackdee" (amulet) around the arm of a female enceinte with her first child, on the fifth month of gestation, and to feast the caste, &c. in the seventh month; but in the meantime, owing to such woman's ill luck, should her husband fall sick or happen to die, or in the event of any other obstacle intervening, are the above ceremonies to be omitted, or how? Information upon the above points it is requested that the Maharaj will be pleased to obtain from the Brahmins and Banians of the city of Baroda, and transmit in writing for the information of the Resident.

36.

TRANSLATE of a Yad from his Highness the Gaekwar to the Resident, dated 6 February 1851.

IN a yad received from the Resident, No. 121, dated 1st February 1851, it is stated that amongst the Banians and Brahmins in Goozerat it is usual for a female in the fifth month of gestation with her first child to have bound round "her arm a 'rackdee,' and on the seventh month to feast the caste. Information is required as to the practice obtaining amongst the Brahmins of the city of Baroda in cases where the said female being in such a state losing her husband, or her husband being sick, whether the above ceremonies are observed, or otherwise." In reply, be it known that upon referring to the "scokul," chief priest of the Shreegode sect of Brahmins, named Unoopram, and to the Setts of the Veisa Land Banians, on this point, they have answered the questions put to them, copies of which are transmitted with this yad for the information of the Resident, and from which it would appear that with reference to any female who may be circumstanced as above, it is the usage to bind a "rackdee" round the arm of such female on the fifth month of gestation, and on the seventh month to "fill her lap with sweets," "kola bhuma," but that it is not usual to feast the caste; but in cases where the husband may have died before the fifth or seventh month of the wife's gestation, the above ceremonies are altogether dispensed with, and in cases where the husband is sick, the ceremonies are in some cases observed, whereas in others they are dispensed with. Thus will it become known to the Sahib.

Viz. the ceremonies styled "Punchenassee" and "Sattmassee."

Enclosure 1, to the foregoing Yad.

TRANSLATE of the Examination of Unoopram Savuckram Sockul, *i. e.* (Chief Priest) to the Sect of Shreegode Brahmins, dated Maha Sood 2d, St. 1907 (3 February 1851).

Question. AMONGST your caste any female who may be enceinte with her first child, is it usual in the fifth month of her gestation to bind round her arm a "rackdee," and on the seventh month to feast the caste?—*Answer.* Amongst our caste, when a female is enceinte with her first child, it is usual to bind around her arm a small "rackdee," on the fifth month of her gestation, and a large one in the seventh month, but it is not necessary to feast the caste;

the caste people have no claim to being feasted, neither is it the usage on such occasions, but it is left optional with the parties concerned whether they feast the caste or otherwise; this is the usage amongst our caste, or otherwise; this is the usage amongst our caste.

Since it is the usage to bind "rackdees" on the arm of the female who may be enceinte with her first child on the fifth and seventh months of gestation, should, however, such female's husband die, or any other cause transpire before the fifth and seventh months of gestation, would such prevent the rackdee ceremonies being observed, or are they only to be observed in cases where no such impediments exist?—In observing the "rackdee" ceremonies, in cases where a female be enceinte with her first child, it may be postponed for a few days in cases where any impediments exist, but should such female's husband chance to die before her fifth or seventh month of gestation, then the "rackdee" ceremonies are altogether dispensed with, and, from the date of her husband's death, all ceremonies are put a stop to, but, excepting on account of the death of the husband, no other causes prevent the rackdee ceremonies being observed.

Should the female in question's husband be sick when the time arrives for the performance of the "rackdee" ceremonies, would such prevent the said ceremonies from being observed or otherwise?—If the husband be sick they may be performed, but if the husband should happen to die, then the ceremonies cannot be observed.

Does the rule laid down above apply equally to both the rich and poor members of your caste?—Yes, it is applicable equally both to the rich and poor members of our caste.

Dated as above.

(signed) *Unoopram Savuckram Sockul,* in his own handwriting.

Enclosure 2, to the foregoing Yad, from his Highness the Gaekwar.

TRANSLATE of the Examination of the Baroda Veesaland Caste Setts, Dulputram Dyaljee, Damother Ghokul, Bucktee Bhugwan, Kessow Lall Ghailla, Ruttonjee Khandass, Parruck Nurrotum, Phurboodas, Buwannedas, Kalledass, Dullubjee Kurjeevun, and Nurbaram Koobairdas.

Question. AMONGST your caste, any female who may be enceinte with her first child, is it usual in the fifth month of gestation to bind round her arm a "rackdee," and on the seventh month to feast the caste?—*Answer.* It is the practice amongst our caste to bind a "rackdee" around the arm of an enceinte female on the fifth month of gestation, and to fill her lap with sweets, &c. in the seventh month; but it is not the usage to feast the caste, but this is a matter of choice; but in the event of the female losing her husband by death before the fifth month of gestation, the rackdee and other caste ceremonies consequent upon her being enceinte, cannot be observed.

Should, however, the enceinte female's husband be sick, are the ceremonies at the appointed times of her gestation to be observed, or otherwise?—There is nothing definite about this point; the observance, or otherwise, of the ceremonies is left to choice, to be performed or not, there being nothing definite laid down upon this point.

Dated as above.

(signed) *Dulputram Dyaljee.*
Sett Damother Ghokull.
Bhugtee Bhugwan.
Kessow Lall Ghailla.
Nurbaram Koobair.
Parruck Ruttonjee Khandass.
„ *Phurboodass Kasseedass,* by Buwanneedass.
Dossee Buwanneedass Kalleedass.
Dullubdass Hurjeevundass.
Hurgovind Bhuckteedass.

37.

TRANSLATE of a Yad from the Resident to his Highness the Gaekwar, dated 8 February 1851, No. 147.

A YAD dated the 2d moon of Rubbil Ahkur S. S. 1251 (4 February 1851), together with its enclosures, from his Highness the Gaekwar, in answer to a yad from the Resident, dated 28 January 1851, No. 100, has been received, and in which it is stated with reference to the information required by the members of the committee, convened for the purpose of investigating the case of Joutabee Settannee, the widow of the late Bhachurbhaee Sammuldass of the firm of Hurree Bhucktee, that the goomastas of the said firm, as also the Setts, *i. e.* elders of the Veersaland Bannian sect, had been interrogated upon the subject, and that the information furnished by them has been transmitted for the Resident's information, &c. With reference to the above, be it known, that consequent upon the explanation given in the above yad and enclosures, not being sufficiently lucid, and further the opinions recorded in

in them, being of a conflicting nature, and at variance with each other, it is necessary that these points be more fully explained as under.

Para. 1. In the second paragraph, with reference to the practice in force regarding the accouchement of females, after the demise of their husbands taking place, at their own or their parents' houses, it is stated that the Setts of the Veersaland Banian sect, upon being interrogated upon this point, have given it as their opinion, that in the majority of cases it is the practice for females circumstanced as above, to be accouched at the houses of their parents, but the opinion of the goomastas of the said firm who had been interrogated upon this point, would lead to the inference, that it is not usual for females situated as above, to quit the houses of their husbands, for at least a year after the demise of their husbands, &c., therefore such being the conflicting nature of the opinions advanced upon this point, both practices would appear to be permitted, and it is therefore necessary that the proper course sanctioned by the rules of the caste to which Joutabaee belongs, should be ascertained and submitted for the information of the Resident in this matter.

Para. 2. In the first paragraph it is stated, that upon interrogating the goomastas of the said firm, it had been ascertained, that the woman Phunnee had been entertained to assist in bathing and dressing the Settannee Joutabaee, but notwithstanding this, the information does not appear sufficiently satisfactory; viz.

1st. It is stated in the examination of the said goomastas of the firm of Hurree Bhucktee, that because the woman Phunnee was attached to the service of Joutabaee Settanee, the Settanee took her into her confidence, therefore if this be true, these mehtas should be desired to state from whom they had heard so; or whether they had advanced this from the promptings of their own minds.

2d. Information should be furnished as to the number of females who were in the service of the Settanee Joutabaee, previously to the woman Phunnee being entertained by the Settannee, as also by whom the woman Phunee had been so engaged.

3d. The elder Settannee Mahaluxmeebaee states, that the woman Phunnee used toper form the duties of a slave girl, whereas the woman Phunnee at her examination before the committee, stated that the nature of her duties at the Settannee Joutabaee's were to supply water for the Settannee to bath with, to assist in dressing the Settannee, and to wash out the oil stains from the cloths worn by the Settannee, previously to sending them to the dobee. Such being the nature of the statements made, it should be ascertained whether such were really the nature of the duties performed by the said woman Phunnee, or whether, as stated by the goomastas of the firm of Hurree Bhucktee, she was a confidential servant of the Settannee's, and whether if a female were employed by any other respectable lady in the same capacity as this woman Phunnee had been by the Settannee Joutabaee, such female would be considered as a confidential servant or otherwise.

4th. From the statements of the goomastas of the said firm of Hurree Bhucktee, it would appear that at the time of the parturition of the Settannee Joutabaee no other female attendants, excepting the woman Phunnee, was with her, and that 15 days after the said Settannee's accouchement, this woman Phunnee had left the service of the said Settannee, and therefore it would appear, that upon her doing so, no other female attendant remained with the Settannee, therefore, if such really was the case, it should be ascertained whether in the families of opulent Banians of the Veersaland sect, such a state of things be usual.

5th. It would appear from the statements of the goomastas of the firm, that 15 days after the parturition of Settannee Joutabaee, that the Settannee Joutabaee had dismissed the woman Phunnee from her service, whereas on the other hand, the woman Phunnee in her deposition, states that she had quitted the Settannee's service in consequence of being unwell; the truth of the above two versions of the story should be ascertained and submitted for the Resident's information.

6th. In the third paragraph of the yad received, it is stated, that at the time of the passing of the leckh by the Settannee, declaring that she had never had a child, and as it is usual for the personal and confidential servants to be present, it is possible that such servants might have been near, therefore it is necessary to have this point elucidated, *i. e.* whether a woman of Phunnee's standing would be considered as a person of such a position as to be permitted to be present in the family of a respectable and opulent Banian, at the execution of such a document as the one stated to have been passed by the Settannee Joutabaee. The Maharaj is requested to give the Resident his opinion upon this point.

7th. It should be ascertained with whom this woman Phunnee had been living, previously to her being employed at the firm of Hurree Bhucktee; whether she had been living with any of the goomastas engaged at the firm, and if she had been, whether such goomasta is at the present time employed by the said firm, upon what amount of wages, what are the duties performed by him, and from what time he had been so employed.

8th. The nature of the relationship existing between the woman Phunnee and the goomasta she had been living with, should also be ascertained; and further, whether she is related to any of the goomastas of the said firm.

9th. The woman Phunnee would appear to have been employed at the firm of Hurree Bhucktee previously to her entering the service of Joutabaee Settannee, information should be furnished as to the nature of the duties she used to perform at the firm, and the amount of pay she used to receive.

Para. 3. In the above case, further information is required, as under:—

1st. If any other party of the Veersaland Banian caste of the same standing as was the late Bhachur Sammuldass had died, and had left a wife in the family-way, what number of attendants would be considered necessary to be allowed to wait upon the widow during the period of her gestation, and what number after her accouchement had taken place, and what party would be considered vested with the power of engaging such attendants.

2d. Under the above circumstances, would the widow have the power of engaging or dismissing any of her attendants.

3d. At the present time, should the widow dismiss any of the servants, would the moonim goomasta be justified in re-employing such parties, without the concurrence of such widow; and further, make over such parties whom he had re-employed to wait upon the Baee against the Baee's wishes. It should be ascertained whether such a procedure be proper and according to the usage of the caste.

4th. Under the Gaekwar Sirkar's rule are moonim goomastas permitted to incarcerate, and treat as a prisoner, the widow of a member of any firm.

5th. If the widow be imprisoned as above, and that it appearing the woman Phunnee had been in the employ of the Settannee Joutabaee previously to her being accouched, and reinstated in her service on the said Settannee Joutabee's being again placed under surveillance, it should be ascertained whether it was reasonable or right to have so employed this woman Phunnee in the service of the said Settannee.

From what is above written, the subject will become understood, and it is requested that the Gaekwar Sirkar will be pleased to kindly collect and furnish the above desired information, at his earliest convenience.

38.

TRANSLATE of a Yad from his Highness the Gaekwar to the Resident, dated 10th Rubbil Ahkur, S. S. 1251 (12 February 1851).

A YAD of three paragraphs has been received from the residency, dated 8 February 1851, No. 147, in the case of Joutabaee Settannee, stating that the reply sent by the Government to the yad from the residency, No. 100, is not only contradictory but ambiguous, and requesting a more clear reply in the matter, which this Government begs to submit, as follows:—

Para. 1. It is stated that the Setts of the Veersaland caste have declared that a majority of widows leave their husband's house to be accouched in their father's house, but that the goomastas of the firm of Hurree Bucktee say it is not lawful for widows to leave their house for a twelvemonth, which shows that there are two "dustoors" (usages), therefore this Government is requested to state distinctly what is the usage of the caste to which Joutabaee Settannee belongs. In reply, this Government begs to state that what the Setts have declared, must be considered as the true usage.

Para 2. It is stated that Phunnee woman was employed by Joutabaee Settannee to bring bathing water and the clothes to Settannee, but the statements of the goomastas on this point not being explicit, nine questions were submitted to this Government on the subject, to which the following is a reply:

1st. That the goomastas of the firm say, "they heard that Phunnee was attached to Settannee Joutabee as a 'confidential servant,' if so, from whom did they learn this, and do they themselves declare that she was a 'confidential servant,'" or how? In reply, this Government begs to say, that on the goomastas being questioned, they declared that Phunnee woman used to ask them, on the part of the Settanee, for money, clothes, &c.; on this, they supposed her to be a "confidential servant," and not from any other circumstances. From this, it will appear that they (the goomastas) themselves, declare that she was a "confidential servant."

2d. Who was in attendance on Joitabee Settanee "before Phunnee, and by whom was Phunnee attached to the Settanee." In reply, be it known that so long as the Settjee was living, women Hurry and Phunnee served the two Settanees, but none was appointed to each, separately; 13 days after the death of the Sett, Phunnee was attached to Joietabee Settanee by order of the kamdar of the firm, Baba Nafra. Such appears from the statements of the goomastas of the firm, but on questioning Joietabaee, she declared that Phunnee was not in her service either before or after the Sett's death, that Phunnee woman was kept only as a spy on her when she was imprisoned, and when a guard of sepoys was placed over her.

3d. That "Maha Luxamee Settannee has stated that Phunnee did the work of a slave girl; that Phunnee, before a committee, declared that her duty was to bring in the Settanee's bathing-water, clothes, &c.; whether (the Resident asks) this was the real nature of her position, or she was a 'confidential servant,' as stated by the goomasta." In reply, be it known, that what Maha Luxamee Baee may have stated, the same should be depended on. Further, "whether it is the custom to call a woman a confidential servant who performs the more menial duties attributed to Phunnee." In reply, be it known, that the person who employs

employs a servant, knows best whether he be confidential or not. But it is not customary to say that a woman or women are confidentials, merely because she or they happen to be in the service of a great lady; but if the master has a great regard for the servant, the persons in the house, and those whom he associates with, call him a confidential servant.

4th. "That when Joietabaee Settanee was delivered of a son, no female servants were employed to attend her, that the goomashtas say that Phunnee left the Settanee about 15 days after her delivery, and is it true that no other females were employed in her service? If so, is it customary in great Setts of the Veeseland Vanee Caste?" In reply, be it known, that whether among the great or poor, it is customary that when a woman is confined, some of her relatives or a servant should remain with her for 20 days.

5th. "The goomastas state that 15 days after the birth of the child, Joietabaee expelled Phunnee; Phunnee declares she left on account of sickness; which is the truth, the Resident wishes a clear answer?" In reply, be it known that, from inquiries made, it appears that Phunnee had no fixed salary from the shop, she only received food and clothes. Formerly, she used to eat her meals in the kutcherry, therefore there is no proof to show when she was expelled. On questioning Joietabaee, she says Phunnee was not in her employ, consequently (she says), how could she dismiss her. On asking for proofs from the goomastas and Phunnee, they have nothing to offer except oral testimony. But the goomasta, who has the key of the shop, and other goomastas as a committee, having said that Phunnee was expelled, it is but proper to place reliance on their word.

6th. "The Resident wishes the opinion of his Highness, whether a person fulfilling the duties that were discharged by Phunnee was of a standing and respectability sufficient to make her a proper person to be present when a lady gives a leckh?" In reply, be it known, that up to the present time it is not known that a leckh like that of Joietabaee's was ever made by any lady. The person who may have servants under him, knows best which of them is good or trustworthy, and it is left to the pleasure of the master whether he is to keep such person near him, or at a distance; nor is it laid down that a person of such a standing should be present in such or such a case, therefore this Government is unable to give a decided opinion on this point.

7th. "It is of importance to know the name of the goomasta in whose house Phunnee lived before she received service at Hurree Bhugtee's, whether that goomasta is still in the employ of Hurree Bhugtee, the precise position he now holds in the house of Hurree Bhugtee, the amount of his salary now, and from what time he came into possession of his salary?" In reply, be it known, that on inquiries being made from Phunnee, and the goomastas of the shop, it appears that she did not live with any of the goomastas before she came to the house of Hurree Bhugtee; if this was known, a clear answer would have been made.

8th. "It is requested to know, whether Phunnee is any way related to any of the goomastas of the firm?" In reply, be it known, that on instituting inquiries from Phunnee and the goomastas, it appears that she is not related to any one of them.

9th. "To be distinctly informed, what were the exact nature of the duties performed by the woman Phunnee in the house of Hurree Bhugtee, before she was attached to Settanee Joietabaee, and what remuneration she received for the same?" In reply, be it known, that Phunnee was employed to wash and clean the cooking pots, so that she was engaged in the service of both Settanees; she received no pay, but food and clothes; such appears from the statement of the persons in the shop.

Para. 3. The Resident further requests the opinion of this Government in the matter which is given, as follows:—

1st. "What is the proper establishment of personal servants to the second widow of a great Sett, like Sammul Bachur of the Veesa Land caste, when it is understood that the second widow is pregnant at the date of her husband's death; that after the confinement, how many servants are allowed, and whose duty it is to appoint personal servants to attend on the widow?" In reply, be it known, that there is no sowcar in the city of the Veesa Land caste who can equal Sammul Bhachur in respectability, nor is it known that after the death of the husband the second widow was understood to be pregnant; therefore this Government is unable to furnish any proof on this point.

2d. "Whether the widow of such a Sett has a right to send away their personal servants, and to employ others?" 3d. "When the widow of a great sowcar has dismissed a servant, is it usual or correct for the moonim goomasta of the firm to send back that servant to attend on the widow, against her will, or without first obtaining her consent and sanction?" In reply to these two questions, be it known, that the answer above given (para. 1) is applicable to these.

3d.* "Whether it is the custom, under the Baroda Government, for goomastas of a sowcar firm to lock up the widows of the deceased sowcar, and treat them as prisoners?" In reply be it known, that excepting the case of Joietabaee, such a thing never occurred in the firm of any one in this city, therefore how can this Government say whether such a thing is customary? * *S. O.*

4th. "When the moonim goomasta of a firm takes on himself to lock up his master's widow, and treat her as a prisoner, is it usual or correct to place in attendance on the widow a personal servant (like Phunnee), who has been dismissed by the lady (Joietabaee), or any

other servant than the lady wishes?" In reply, be it known, that if a person is dismissed for an offence, or for enmity, it is improper to employ that person again in the service.

From the above replies, the Resident will know the whole.

39.

TRANSLATE of a Yad from the Resident, No. 148, dated the 10th February 1851, to his Highness the Gaekwar.

IN reply to the Resident's yad, dated the 1st instant, No. 121, a yad, together with enclosures, has been received, dated the 4th moon of Rubbil Ahkur, S. S. 1251 (6 February 1851), submitting, that with reference to the observance of the "rackdee" ceremonies, in cases of females of the Brahmin and Banian castes being enceinte with their first child, that this ceremony is usually observed, excepting in cases when the husband of such female happens to die, when this ceremony is never observed, but in cases where the husband is only sick, the ceremony in some cases is observed, and in others not, but that there is no definite or fixed rule in the case upon this point; and transmitting, for the information of the Resident, copies of the examination of Sockul Anoopram of the Shree Gode Brahmin sect, and those of the elders of the "Veesa Land Banians," upon this subject. With reference to the above, as the information upon this subject, furnished by the above-named Sockul, is obscure, therefore it is necessary that such explanation be called for as to render it more clear.

1st. If any person, from illness, be in an insensible state, and before his death, if his wife attain her fifth month of gestation, then would it be consistent with the usage of the caste to perform the rackdee ceremonies.

2d. From the day before the Settanee's parturition being taken into account, she would appear to have completed her fifth month of gestation, 10 days before the day of her husband's demise; and before the death of Bhachurbhaee, about something more than a month, it would appear that he was very ill indeed; therefore, as the Settanee Joietabaee had not the rackdee bound round her arm on the fifth month of her gestation, would any doubt occur as to her having been pregnant or otherwise.

The information required above, the Gaekwar Sirkar will be pleased to furnish at his earliest convenience.

40.

TRANSLATE of a Yad from his Highness the Gaekwar to the Resident, dated 12 Rubbil Ahkur, S. S. 1251 (14 February 1851).

A YAD of two paragraphs has been received from the Residency, dated 10 February 1851, No. 148, regarding the practice amongst the Wania Brahmins of tying rackdee on a woman who may be in her fifth month of pregnancy. As the replies of Anoopram Sookul, formerly sent, were ambiguous, and requesting a more explicit reply from him on the subject; in reply, be it known, that on questioning Anoopram Sookul on the matter, he gave his reply as follows:

1st. "It is stated that 'a man is stretched on his death-bed; within a few days of his death, his wife comes to her fifth (5) month of pregnancy, is it proper that under such circumstances the rackdee should be performed?' In reply, be it known, that if the husband be very ill, the ceremony of rackdee is not performed."

2d. "It is further stated, 'that in calculating back from the day of the lady's (Settanee's) accouchement, it is discovered that she must have come to her fifth month of pregnancy about 10 days before the death of her husband, and her husband had been very ill for more than a month before his death, no rackdee is put on at the fifth month. Is that a circumstance which throws suspicion on the lady's pregnancy?' In reply, be it known, that if a woman was in her fifth month of pregnancy, it cannot be hid, and though no rackdee is put on on account of the husband's severe illness, still that would not throw suspicion on the lady's pregnancy."

The above is the reply made by Anoopram Sookul, copy* of which is here forwarded.

41.

TRANSLATE of a Yad from the Resident to his Highness the Guicowar, dated the 15th February 1851, No. 175.

A YAD from the Guicowar has been received, dated the 10th Moon of Rubbil Ahkur, S. S. 1251 (12 February 1851), but as the information afforded therein regarding the case of

---

* The enclosure being of the same tenor as the yad, translation of the former is not sent.

of Joitabaee Settannee not being sufficiently lucid, further and more detailed explanation is required, as under:

1. From the statements of the goomastas of the firm of Hurree Bhugtee, it would appear that it is not usual for ladies to leave the house of their husband and go to the house of their parents to be accouched, for, at the least, a year after the death of their husbands, whereas, from the statements of the settjeeyas of the Veesaland Banian sect, it would appear that the practice for ladies circumstanced as above, is to remove to their parent's house for the purpose of being delivered; and as every person must be well acquainted with the rule obtaining in their respective sects, therefore, it would appear that the above goomastas and setteeyas must have conspired together, and intentionally given false information upon the above subject. In reply to the Resident's former yad upon this subject to the Maharaj, requesting to be informed which of the above parties' statements should be considered as correct, the Maharaj intimated that the settjee's statement should be considered as correct; thereupon, it is requested that the above goomastas be called upon separately to explain the discrepancy obtaining in theirs and the above setteeya's statements upon this point, and which should be transmitted for the information of the Resident.

2. In the yad under acknowledgment, it is stated that it is not usual in respectable families for ladies to admit to their friendship and confidence their female menials, but this reply is not considered to be sufficiently lucid, therefore, it should be explained whether it be usual for female servants of the class to which the woman Phunnee would appear to belong, in the employ of respectable families, to be admitted to the confidence of their mistresses, and whether such servants are allowed to touch the person of their mistresses, supply water to their mistresses for culinary and other purposes, to be constantly in attendance upon, and to sleep near them in their bed-rooms.

3. In the families of respectable and wealthy Setts, is it usual, after the death of the husband, for a servant employed about the house in a low capacity, such as washing clothes, fetching water, &c., to be appointed by the moonem goomasta, as a personal attendant upon the widow of such Sett, and whether the moorum goomasta would be justified in doing so, and whether it would be consistent with the respectability of such families if such a party had been so appointed.

4. " From the declaration of the goomastas of the firm it would appear that the woman Phunnee was admitted to the Settannee's confidence." Thus is it stated in the former yad of his Highness the Guicowar; therefore, upon it being desired that these goomastas should be called upon to declare from what source they had ascertained the above, and submit such explanation for the information of the Resident, such explanation was submitted by his Highness the Guicowar to the following purport; *i. e.* that as the said woman Phunnee used to be sent by the Settannee to the firm for funds, the goomastas, from the dictates of their own minds, concluded that this woman enjoyed the said Settannee's confidence, and testified to the same effect. Therefore, it should be explained whether it is the practice, in respectable families, for female domestics of the class to which Phunnee belongs to be sent by their mistresses for cash, clothes, &c.; and further, it should be explained from what particular goomasta the Settannee Joitabaee had sent Phunnee to the firm for cash, clothes, &c., and the names of the parties who saw the woman Phunnee come to such goomasta for the same should also be furnished in writing.

5. " The woman not having been employed upon wages, but only upon food and clothes, it cannot be ascertained from what time she had been discharged." This is the explanation given by the goomastas of the firm; and in the yad received from the Guicowar Sirkar, it is stated that, consequently, excepting from oral, no other testimony would appear to be procurable to establish that the woman Phunnee had been dismissed. Whereas the woman Phunnee states, that, in consequence of being ill, she had quitted the service of the said Settannee, therefore the goomastas should separately be examined as to who were all present when the woman Phunnee had been dismissed; who had so dismissed her, and their conception of the meaning of the words " being discharged;" and the above explanations should be furnished for the information of the Resident.

6. Previously to the entertainment of the woman Phunnee in the service of the Settannee Joitabaee, with which of the goomastas was she living? and after her dismissal from such service, with which of the goomastas did she go to live? The names of the above parties should be submitted for the information of the Resident, and particular information should be further furnished as to the situations held, and the amount of wages enjoyed by such goomastas at the time of the Seetyee's demise, as also in February 1847; as also the situations and wages they at the present time enjoy.

7. Upon information being desired as to the number of servants usually in attendance upon the wife of a Banian of respectability, in reply, it has been submitted that as there are no Banians of the Veesaland sect of equal respectability with the late Bhachurdass Sammuldass, the desired information could not be given; but as there appears to be no reasonable obstacle against the attainment of full information upon this point, therefore it is requested that information be furnished in detail as to the number of servants in respectable families in attendance upon a pregnant lady, and the nature of the duties to be performed by each and every of such servants.

8. The Resident cannot at all understand upon what grounds the remark has been based to the effect, that " it cannot be ascertained whether or not the Settannee Joitabaee was

pregnant at the time of her husband's death," because near the end of the Punchayet's summary of the impending case, which had been received, with other papers, it is stated that at the time of the demise of Sett Bhachurbaee the Settanee Joitabaee was *enceinte*, and at the time of her parturition the necessary arrangements were made, and that this Baba Nafra had admitted; further the elder Settanee Maha Luxamee Baee would appear to have not entertained any suspicion about the Settanee Joitabaee's pregnancy; and still further, previously to the Baba's causing it to be rumoured and circulated about that the Settanee Joitabaee had procured a spurious child, the son of a Meetapoor Kallee, neither the Gaekwar Sirkar nor the people of the Settanee's caste would appear to have not entertained any suspicion or doubt as to the truth of the Settanee's pregnancy; and the Baba has been punished by the Sirkar for having concocted and tried to establish the above falsehood, and therefore, under the above circumstances, the Baba cannot now, in any way, have it in his power to advance that the Settanee Joitabaee had not been pregnant; and further, it would appear that the Baba had previously made every arrangement about the Settanee Joitabaee's accouchement with the Gaekwar Sirkar.

9. After the death of opulent Sowcars, what number of servants are allowed usually to attend upon their younger widow, who may chance at the time to be pregnant? and for the purpose of obtaining such information, take the case of a Sowcar at Baroda of lesser note than was Bhachur Sammuldass, and what number of servants would be allowed after the parturition of such widow had taken place; and by obtaining information in the above case, the number of servants to be allowed in the case of Joitabaee Settanee can easily be ascertained.

10. The number of servants attached to the Settanees Maha Luxamee and Joitabaee respectively, after the death of their husband; the date on which such servants had been entertained; the amount of wages, and the nature of the duties performed by each of them; a statement containing the above particulars should be made out and submitted for the information of the Resident.

11. Similar statements as the above should be drawn out of each of the Settanees' respective establishments after their separation from each other, and after being submitted to each of them to endorse on them any remarks which they may feel disposed to make they should be transmitted to the Resident. Full information on the above points it is requested should be furnished as early as possible, to obviate the necessity of making any further reference regarding them, and giving trouble to the Maharaj.

42.

TRANSLATE of a Yad from his Highness the Gaekwar to the Resident, dated the 22d Moon of Rubbil Ahkur, S. S., 1251 (23 February 1851).

A YAD from the Resident has been received, No. 175, and dated the 15th instant, and as it is therein stated that the explanations submitted in our former yad regarding the case of Joitabaee Settanee were not sufficiently lucid, the subjoined further detailed particulars are submitted in eleven paragraphs for the Resident's information, viz.:

Para. 1. The Resident asks the reason of the discrepancy between the statements of the goomastas of the firm of Hurree Bhucktee and the writing of the Setteeyas, and suggesting that the several goomastas should be separately examined upon this point, and their depositions furnished. In accordance with the above suggestion, the goomastas of the said firm were separately examined, and the copies of their respective depositions are with this yad transmitted, and from the perusal of these depositions it will appear that the whole of the goomastas does not belong to the Settjee's caste, and consequently the information submitted by them is in accordance with their own respective notions, and not according to the Wywut and the "Dhacklass" of the case, and they now coincide in the opinions on the subject given by the Setteeyas of the caste, consequently such opinions as have been given by the latter as to the usage of the caste it is advisable to be guided by.

N.B.—The Committee quoted what was stated in the last yad from the Durbar; "it is not usual that a person is a confidential servant merely because he or she is a menial, or something to that effect." The Committee quoted this, said it was an evasion, and demanded distinct answers.

Para. 2. In the second paragraph, the Resident writes as follows: "In the yad which had been received, it is stated that it is unusual for the females of respectable families to have friendship with their menials, but this does not appear to be true, &c.;" but as the above had not been advanced in the Sirkar's yad, we are at a loss to find out why the Resident had attributed it to this Sirkar; but never mind. Further on, the Sahib writes, "Are females of the same standing as Phunnee, employed by the families of respectable parties, admitted to their mistress' confidence and friendship, and are females of the standing of this woman Phunnee permitted to touch the person of their mistress, to give water for culinary purposes, to be in constant attendance, and to sleep with their mistress in the same bed-room?" Upon interrogating the parucks, they declared that it is not usual for menials to be confided in by their mistresses, but that so long as such menials discharge their duties to the satisfaction of their employers, they are treated with kindness; and when the mistress bathes, should assistance be required, females of the class to which Phunnee belongs are generally called upon to afford such; and with reference to such females as Phunnee assisting in cooking, and being present to give water, and sleeping in the same room with the mistress, &c., it is not customary; but should the mistress give any orders in the above case, for the servant to disobey such orders is not usual.

Para. 3.

Para 3. The Resident, in the third paragraph, asks whether, upon the death of any respectable Shett, should he leave a widow, is it proper for the moonim goomasta to appoint a low menial to be in personal attendance upon such widow, and is the doing so calculated to maintain the respectability of such widow? In reply to this, be it known, that upon consulting respectable Sowcars upon this point, they declare that so long as the Settjee be alive, the entertainment of servants to wait upon the Settannee rests with the pleasure of the Settannee and the Setjee, and the moonim has nothing to do with it; but after the death of the Settjee, it has never transpired that the moonim entertained any female attendants to tend upon the Settannee without the concurrence of the Settannee; and that, therefore, that they were at a loss to give any answer upon this point.

Para. 4. In the fourth paragraph the Resident wishes to know whether it be usual for the wife of a respectable Settjee to send a woman of the standing of the woman Phunnee to the goomasta to ask for clothes, cash, &c. Having inquired of the Sowcars, they have declared that there is no rule upon this point, because, according to the arrangements made, many things are from time to time required by the Settannee, and, upon some occasions, should the Settannee be in want of any particular thing; *i. e.* money, clothes, &c., a goomasta kidmatgar, or a female menial, whichever of them may be at the time near, is dispatched to the firm for them. Further on the Resident writes, "Ascertain and furnish the name of the goomasta from whom it might appear the Settannee Joitabaee had sent the woman Phunnee for things." Upon this subject, the goomastas, Keeleedar Bhyejee Ghailla and Bappoojee Koobair, being examined, two copies of the depositions given by them are herewith submitted, and from which it would appear that the woman Phunnee used to come on the part of the Settannee Joitabaee to ask for trifling sums, but it not being usual to enter upon the books such trifling disbursements, therefore these sums had not been entered upon the books.

Para. 5. In the fifth paragraph, the Resident writes, "Phunnee was not entertained upon wages, she used only to get food and clothing, therefore I cannot say when she was discharged;" this is the goomasta's statement; therefore, "besides what was stated by word of mouth, no other proofs would appear to obtain regarding this woman's dismissal, and which appears from the yad which has been received, but from the statement of Phunnee it would appear that she quitted her place in consequence of being sick; therefore the parties who may have heard of Phunnee's being discharged, and any other proofs upon this subject, together with the meaning of the words 'being discharged,' should be ascertained by the examination of the goomastas of the firm separately, and furnished for my information." With reference to this, upon interrogating the goomastas of the firm separately, in their reply they state that for two or three days the woman Phunnee did not attend to her duties at Joutabaee Settannee's, and that she had remained at the house of Meetalall, whose brother had died, and that for this reason the Settannee had dismissed her, and that this at the time was talked of at the firm, but who had spoken about it, and who were present at the time, they state that they do not now recollect. Copies of the above parties' depositions upon this subject accompanies this yad, and from the perusal of which the subject will become understood.

N.B.—I see in Baba Nafra's accounts of his disbursements on account of the firm, 45 rupees paid to Phunnee.

Para. 6. "The woman Phunnee, previously to her being entertained by the Settannee Joutabaee, with what goomastas was she engaged? and after her leaving the Settannee, with whom was she residing? the names of the above two parties should be furnished; and at the time of the Settjee's death, in the month of February 1847, and at present, how are the above goomastas employed, and on the above three occasions what pay used they to enjoy? this information is particularly required by the Resident." Thus the Sahib writes, and upon this subject the goomastas had been formerly examined, as also at present, but it cannot be ascertained with what goomastas the woman Phunnee had been living previously to her joining the Settannee's service, or with whom after she had left her place, consequently the names of the goomastas inquired by the Resident are not furnished; but if it had been ascertained with whom this woman Phunnee had been residing previously to her taking service with the Settannee and after she had quitted, the names of the parties and the nature of the goomasta's services, and the amount of pay enjoyed by these goomastas, would have, as called for by the Resident, been furnished in detail, but it cannot be ascertained from the inquiries set on foot which of the goomastas this woman was living with.

Para. 7. "The number of attendants necessary to be with the wife of a great person who may be *enceinte*, there can be no difficulty in ascertaining, therefore the number of parties who should be present, and the nature of the work to be performed by each, should, in detail, be furnished." Thus the Resident writes, and upon the Sowcars being consulted upon this subject, they state that the females who may have been in attendance upon the Settannee also wait upon her during the period of her pregnancy, and that it is not usual to entertain extra parties upon such occasions; and in the service of the Settannee from one to four or five attendants are employed, and the nature of their duties are to dress her hair, rub and "shampoo" the Settannee's arms and legs, to dress the Settannee, assist the Settannee at the bath, &c., and to do anything else which the Settannee may be pleased to order them.

Para. 8. "It has not been ascertained whether the younger Settannee, Joeetabaee, was *enceinte* at the time of her husband's death." Thus the Resident having written, I beg to observe that this point had not been mooted in the Sirkar's former yad, and the Sahib now writes to the above effect, consequently it has been a source of much sorrow to this Sirkar that the substance of the information furnished in the yad from this Sirkar is not taken into consideration,

consideration, but other and irrelevant subjects are brought forward; therefore, if such be continued, at some time or other a true and just affair of this Sirkar will be liable to a misconstruction by the Resident, therefore it is requested that the Resident will always have the kindness maturely to consider all yads the Sirkar may from time to time send.

Para. 9. "After the death of a great Sowcar, should the younger widow be delivered of a son, how many parties usually attend upon her? this information should be furnished; and for the purpose of obtaining it, take the case of a Sowcar of a lesser standing than Bhachur Sammul, whose wife may be so circumstanced, and from the number of parties entertained by this woman it can be easily concluded the number which should have been employed by the Settannee Joeeta Baee." Thus the Sahib having written, upon inquiring of the great Sowcars and the lesser ones, they declare that in their caste in no any one case has a woman been confined after the death of her husband, but that upon the parturition of the elder or younger Settannee during the husband's lifetime, independently of the midwife, two or three servants or female relatives attend her.

Para. 10. "After the demise of the Sett, how many servants were there in attendance upon Settannee Maha Luxamee Baee, and Settannee Joeeta Baee, and from what period were they entertained, and what amount of wages did they respectively receive, and what was the nature of the business they were called upon to perform? the detailed particulars of the above should be submitted." Thus it being written, agreeably to the Sahib's desire, the detailed particulars, contained upon a separate statement, is sent with this yad, and from the perusal of which the subject will become elucidated.

Para. 11. "After Joetabaee Settannee had separated herself from Maha Luxamee Settannee, how many servants were in the employ of Maha Luxamee Settannee, and how many with Joetabaee Settannee? this should be ascertained, and separate statements drawn up embodying the necessary information, and furnished, after being first submitted to the inspection of both the Settannees." Thus the Sahib having ordered, both the statements have been prepared, and after having been submitted for the inspection of both the Settannees respectively, agreeably to the Settannee's dictation, endorsements have been thereupon made, and are transmitted with this yad, and from its perusal the subject will become elucidated.

From the above paragraphs, the subject will become elucidated.

Enclosure 1 to the above Yad, from his Highness.

TRANSLATE of the Examination of the Goomastas of the Firm of Hurree Bhucktee, *i. e.*, Peetambur Sewlall, Itcharam Venarsee, Bhyejee Ghailla and Damother Dullub, taken by the Durbar on Maha Vud 8, St. 1907 (23 February 1851).

Question. At your former examination on (date not inserted), you stated that for a year after the husband's death it is not usual for the widow to go to the house of her parents for the purpose of being accouched, whereas the Setteeyas of the Veesaland Banians give it as their opinion that it is customary for the widows to go and be confined at the house of their parents; therefore you are required to explain the reason why you had given the opinion recorded above?

Answer of Peetambur Sewlall.—At the least, the widow after the death of her husband, for a year, should not show her face outside of her house, within which period if her accouchement draws nigh, should this woman be permitted to exercise her own pleasure, and if her parents and friends attend to assist at her parturition, then, decidedly, it is not customary for her to go to the house of her parents to be accouched, but should she not be permitted the above indulgences at the house of her husband's friends, then it is optional with her for to go to her parents, or remain and be confined at her husband's house. But after the death of the husband, the cases are few and far between where the widows being left *enceinte* have been accouched after their husband's death, and since such cases but seldom occur, therefore as to where the widow goes to be confined have not often occurred, and consequently I do not possess full information upon this subject, but in the majority of cases, it upholds the practice of not showing their faces outside their own houses. "Widows so circumstanced generally do not go to be accouched at the house of their parents." I, from my own judgment in the matter, had formerly given the opinion to the above effect, but as to the rules of the caste upon this subject, the Setteeyas of the caste should be better acquainted with.

(signed) *Peetambur Sewlall,* in his own handwriting.

Answer of Itcharam Vennarsee.—I do not belong to my Settjee's caste, the Settjee being a "Veesaland," whereas I am an "Ahmedabad Kunbie," but from myself and my forefathers having been brought up amongst respectable families, consequently taking into consideration the high standing of the Settjee, I was induced to give it as my opinion that, at the least, for a year the widow of such a respectable person should not quit her husband's house for a year, and this my opinion was founded upon my own personal notions of things; but regarding the caste rules upon this point, the caste "Setteeyas" are the most competent judges,

judges, therefore what they may have stated upon the subject must be correct, and as for the opinion upon the subject advanced by me, it was, as above stated, from what I fancied should be the usage to be adopted.

(signed) *Itcharam Vunnarsee.*

Answer of Bhyejee Ghaillah.—I do not belong to the Setts caste, I being a "Seemalleeya Banian," whereas the Settjee was a "Veesaland Banian," therefore the usage of the Settjee's caste people should be known to the Settjee's caste "Setteeyas." As for the practice amongst my caste, any woman losing her husband, for a year after the occurrence she is not permitted to show her face outside of her house, and this practice obtains both with the rich and poor members of the caste; and as the Settjee's family is of great respectability, I took this circumstance into consideration and gave in my opinion accordingly; but up to the present time, no case had ever occurred to my knowledge where the widow had been accouched after the death of her husband, and consequently the opinion upon this subject given by the Setteeyas of the Settjee's caste as to the practice in vogue with reference to this subject must be correct.

(signed) *Bhyejee Ghailall.*

Answer of Damother Dhullubdass.—The Settjee was a "Veesaland" and I am a "Vydo" Banian, consequently the rules obtaining amongst the Settjee's caste people, the "Setteeyas" of the Settjee's caste should know; but in my caste any woman who loses her husband, for a year after the event she does not show her face outside of her house, and further the accouchement of widows have not often taken place to my knowledge, therefore nothing definite can be advanced by me regarding the practice in vogue; but as for such females going to the house of their parents, or husband's family's house for the purpose of being accouched, depends upon their own pleasure, because if they be permitted to exercise a will of their own by the husband's family, and if their parents are permitted to come and assist them upon such occasions, and further, if the parents are not in affluent circumstances, then they generally are accouched at the house of their husband's family, otherwise they go to the house of their parents upon such occasions; therefore such being the rule, and as the Settjee's name was great, and it not being usual for the widow to leave the house for a year, I, from my own views of the case, gave in my opinion; but the rules of their caste, as defined by their caste Setteeyas, must decidedly be correct.

(signed) *Damother Dhullab.*

(True copy.)

Enclosure 2 to the foregoing Yad.—*Vide* para. 10.

TRANSLATE of a Statement of the Parties in the Employ of both the Settannees during the lifetime of the Sett. Parruck Bhachur Bhaee Sammuldass, sent as an Enclosure to the Durbar's Yad, dated 24 February 1851.

No.	NAMES.	Date of Engagement.	Rate of Pay.	Nature of Duties, &c.
1.	Kedmutgar Ooko -	- - an old servant of many years.	3 rupees - -	- - When the Settannees were living together these two kedmutgars used conjointly to do all kinds of work for them, and when the Settannees used to go out, the kedmutgars present used to accompany their suwarree.
2.	Ditto - "Jhetto"	- ditto - - -	- ditto - -	
3.	Woman "Hurree" -	- ditto - - -	- - food, clothes and 7 rupees per annum.	- - Used to wait upon both the Settannees and do the business of a slave-girl, wash clothes, &c. &c.
4.	Four sepahees - -	- - by turns, therefore date not given.	- - -	- - When both the Settannees used to live together, one guard used to wait upon them, and when either of the Settannee's suwarree used to go out, the sepahees from the Daveeree used to accompany it.

N.B.—During the Sett's lifetime the above parties were in service, and this both the Settannees admit, and declare that they have nothing further to urge.

Dated Maha Vud 9th, S. 1907 (24 February 1851).

Enclosure 3 to the foregoing Yad.—*Vide* para. 11.

TRANSLATE of a Statement of the Parties in the Employ of Settannee Joutabaee after the Demise of her Husband Parruck Bhachur Samuldass, sent as an Enclosure to the Durbar's Yad, dated 24 February 1851.

No.	NAMES.	Date on which Engaged.	Rate of Pay.	Nature of Duties, &c.
1.	Kidmutgar Hurks - and Ameechund -	during Sett's lifetime - ditto - - -	3 rupees - - - ditto - -	- - Servant of all work, and in personal attendance upon the Settannee, and accompanying also the suwarree. This person being an old servant, the date upon which he had been entertained must be in the Khangee, but many years having elapsed, at present not forthcoming.
2.	Woman Phunnee -	- ditto - - -	food and clothes	- - This woman Phunnee used to work at the firm, and lately for a short time had been attached to the Settannee's suite, when she used to do all kinds of work, and after her dismissal from the Settannee's she had been continued in her former employment at the firm.
3.	Four sepahees - -	- - these parties being constantly changed, therefore the dates on which they had been entertained have not been inserted.	- - -	- - One guard at the Settannee's, and to accompany the Settannee's suwarree.

N.B.—This Settannee, after the demise of the Sett, her husband, had separated herself; and from which time the above parties have been in attendance upon her; and when, however, further assistance was required, the sepahees from the firm used to be called in; but these latter sepahees were not exclusively made over to her suite.

DECLARATION of the Settannee Joutabaee.

Two kidmutgars used to be in attendance upon one, but one of them, "Hurks," died, and consequent upon Ahmechund having gone to his home, Jaychund, who had been employed in his place, is still continued; Phunnee had never been in my employ; Ghunga is at present in my employ, and had been engaged from the time of Moteelall's birth; one guard attends upon me, and the sepahees of the "Daveree" accompany my suwaree.

Dated Maha Vud 9th, S. 1907 (24 February 1851.)

TRANSLATE of a Statement of the Parties in the Employ of Settannee Maha Luxamee Baee, after the Death of her Husband Parruck Bhachur Sammuldass, sent as an Enclosure to a Yad from the Durbar, dated 24 February 1851.

No.	NAMES.	Date on which Employed.	Rate of Pay.	Nature of Duties, &c.
1.	Kedmutgar "Ooko"	during Sett's lifetime	3 rupees - -	- - This individual is a personal attendant, and in constant attendance upon the Settannee, and a servant of all work accompanying the Settannee when she goes out, &c. The date on which this individual had been entertained, he being a very old servant, must be noticed in the "Khangee," but at the present time cannot be found.
2.	Woman Harree -	- ditto - - -	- - food, clothes and 7 rupees a year.	- - Discharges the duties of "koonbun," waiting-woman to the Settannee, washes clothes, accompanies the Settannee's suwarree, and does other work.
3.	Four sepahees - -	- - these parties being constantly removed, the date of their engagement cannot be fixed.	- - -	- - Mount guard by turns, and accompany the Settannee's suwarree, and do other work usual with sepahees to do.

N.B.—Independently of the above Nemnook employés of the Settannee, after the birth of Purshotum Bhaee, three additional Kedmutgars were entertained to wait upon him, and, when necessary, they also used to do the Settannee's business after the demise of the Settjee; 13 days afterwards both the Settannees separated, and from which time the above-mentioned sepahees used to be in attendance upon the Settannee, and, when required, other sepahees from the firm used to go and assist. But these latter sepahees were not exclusively made over to wait upon the Settannee. The above information has been gathered from inquiries made at the firm.

The elder Settannee declares that the parties enumerated above are in her employment, and that she has nothing further to add.

Dated Maha Vud 9th, S. 1907 (Monday, 24 February 1851).

43.

TRANSLATE of a Yad from the Resident to his Highness the Gaekwar, dated the 22d February 1851. No. 210.

IN the case of Jeutabaee Settannee, the widow of Bhachurbhaee Sammuldass, information upon the following points, as to what, according to the general Hindoo custom, or that of Jeutabaee's caste, is considered necessary; viz.

1st. How many months is a lady's pregnancy supposed to exist?

2d. Suppose a lady is delivered on the 1st May 1851, on what day is it supposed that she had been impregnated?

3d. On what date, suppose the lady had been delivered on the date above specified, would she be supposed to have come to her fifth, and what date to her seventh month; and in what way do pregnant ladies reckon, or by what rule do they calculate that it is proper time to perform the ceremonies of the fifth and seventh month, *i. e.* "Punch Massa" and "Sath Massa."

4th. In calculating the time of their confinement, how do they fix the date of their impregnation?

5th. What are all the ceremonies which it is proper for a pregnant lady to perform at the fifth and seventh month of pregnancy?

From what is above written, the Gaekwar Sirkar will be informed of the nature of the information required by the Resident, and it is requested that the same be expedited.

TRANSLATE of the Examination of Bappoojie Koobair Killadar Nisbut, the Firm of Sammul Bhucktee, in Maha Vud 8th, Sumvut 1907 (23 February 1851).

Question. In your former deposition, you stated that from the dictates of your own mind you advanced that the woman Phunnee was a confidential servant, because she used on the part of the Settanee Joitabaee to come to the firm for clothes, money, &c.; you being the killadar, are requested to state whether it be usual for a woman of the class to which Phunnee belongs, who might be employed by any other Settanee, to be sent for clothes, money, &c.; and further, at what time and under what circumstances did the said woman Phunnee come for the clothes, money, &c. on the part of the younger Settanee: if you are aware, you should state?—*Answer.* The daily expenses were taken from the firm of Hurry Bhucktee, consequently the occasions and under what circumstances she used to come for money cannot be ascertained from our firm. It is true that I used to see her come to and fro, to which effect I have certified in my former deposition; and further, every male or female servant employed by any Settanee is of course expected to obey the orders of his or her mistress, whatever they may be.

TRANSLATE of the Examination of Bhyejee Ghaillah Killadar Nisbut Hurree Bhucktee Panuch.

Question. In your former deposition you stated that the woman Phunnee was a servant of Joitabaee's, and used, on the part of the Settannee, to come to the firm for clothes, money, &c., therefore you mentioned her as being a confidential servant; explain from whom the Settannee Joitabaee used to send for the things, and under what circumstances such things were taken away?—*Answer.* I being the killedar of the firm of Hurree Bhucktee, any trifling sums required by the younger Settannee Joitabaee, she used to send the woman Phunnee to me for; and upon any large sum being required by her, the Baba used to be informed of the same, and a goomasta used to be sent with it. Phunnee used only to come for trifling sums of money, which I used to let her have; and consequently I mentioned the same in my former statement.

On what occasions and under what circumstances did you give money to Phunnee: you should point out in the chopras?—No great amount used to be given to Phunnee, but she used to only have trifling sums given to her; consequently it is not usual, with such trivial sums, for the names of the parties through whom they were disbursed to be entered upon the chopras.

Amongst such opulent and great people, if a woman of the description of Phunnee be employed as a servant, is it usual to send for money, &c. through such a person?—People who are employed as servants are expected to do anything they are told, and if it be necessary to send them for money, &c., they are expected to go for the same. This being the practice, in the same manner Phunnee used, by the orders of the Settannee, when necessary, to come for sundry trifling sums of money to the firm.

(signed) *M. Battye,*
Assistant Resident.

TRANSLATION of the Examination of the Goomastha, of the Firm of Hurree Bhugtee, dated Movud 8th, St. 1907 (23 February 1851).

Question. You having formerly deposed that consequent upon the woman Phunnee not having been remunerated with money, but merely with food and clothes, the date of her discharge from the service of Joitabaee Settanee cannot be ascertained; therefore you are required to state particularly from what source and at what place you learnt of her being dismissed, and to name the parties in whose presence the above had been communicated to you?

N. B.—The above question being put to each of the several goomastas separately, their respective answers are recorded *seriatim*, as follows:—

1. *Answer of Goomashta Keela Lulloo.*—When it was ascertained that Joiteebaee Settanee had been accouched at this time, the woman Phunnee was in the service of the younger Settanee; and subsequently, within the space of one month's time—the day and date I do not know, but it was rumoured at the firm that consequent upon the woman Phunnee absenting herself from her duties at the younger Settanee's, for the purpose of assisting for two or three days at the house of Meetalal, whose brother had died, and who had no person to assist at his house, that the Settanee had dismissed her from her service. At this time the Settanee was living at the house of her father. To the above effect did I hear rumoured, but from what particular individual, or under what circumstances, and what parties were at the time present, I do not recollect; but having heard the above when the whole of the goomastas were being interrogated by the Sirkar, I made the same known; but I did not institute any inquiries at the time to ascertain the truth or otherwise of the above rumour, and I merely repeated what I had heard.

(signed) *Keela Lulloo.*

2. *Goomasta Itcharam Vunarsee's Answer.*—I was, at the time of the Setjee's death, absent upon some business of the Setjee at Bhowungjee, from which place, when I arrived at Ahmed, I heard about Joiteebaee Settanee having been delivered of a son; and about eight months afterwards I arrived at Baroda; consequently, I know nothing of what had taken place regarding this woman Phunnee before my return.

Question. Since you plead ignorance of what had taken place in this affair, what caused you to depose to such facts as are contained in your former deposition?—The deposition referred to was taken from the whole of the goomastas conjointly; therefore, what I heard the whole of the goomastas talking about this affair I also deposed to; but I did not so depose from my own knowledge of what had transpired. The particulars are as above.

(signed) *Itcharum Vuransee.*

3. *Answer of Lulloo Dhulluchund.*—I having been employed at the above firm as a goomashta, to keep an account of the daily expenses, consequently I know that the woman Phunnee had been employed at the younger Settanee Joiteebaee's, and about 15 or 20 days after the said Settanee had been delivered of a son at the house of her parents, it was at the firm rumoured that Meetalal's brother having died, the woman Phunnee had attended there for about two or three days, and that therefore she was unable to attend to her duties at the Settanee's, and that therefore she had been dismissed. This I learnt at the firm; but three years having since elapsed, and further, any one who pleased came to the firm. It being a large one, many goomashtas are employed in it, and whatever rumour they hear is generally here repeated, but not recorded; therefore I do not recollect who mentioned the above to me, nor in whose presence it had been mentioned to me. Since I had heard the affair I spoke about it, when questioned by the Sirkar; but I am unacquainted with the proofs as to its truth or otherwise.

(signed) *Lulloo Dhulluchund.*

4. *Answer of Dhajee Rugnath.*—Phunnee was in the service of the younger Settanee, and when the Settanee Joiteebaee had removed to the house of her parents, for the purpose of being confined, Phunnee accompanied her. Subsequently it was made known that the Settanee had given birth to a son, and 15 or 20 days afterwards it was rumoured that Mutalal's brother had died, and that therefore the woman Phunnee had gone to assist at the house of the said Mutalal, and that therefore, as she was unable to also attend at the Settanee's, the said Settanee had dismissed her. A rumour to the above effect at the time I heard at the firm; but three years have since elapsed, consequently I do not recollect the names of the other goomashtas who were present when I heard the above rumour at the firm; neither do I recollect who it was who first circulated the above rumour, or the name of the party from whom I heard it. The younger Settanee being at the time at the house of her parents, I do not recollect the name of the party who had brought the news to the firm. Upon the above subject the Sirkar took my deposition in last Post Vud 14th, St. 1907 (27th January 1851), on which occasion I made known the above rumour which I had heard; but I know not the truth or otherwise of such rumour.

(signed) *Dhajee Ruggoonath.*

5. *Answer*

5. *Answer of Bhyejee Ghaillah.*—Phunnee woman accompanied Joitabaee Settanee to the house of her parents, and about 15 or 20 days after I had heard about her having had a son, it was rumoured at the firm that Joetabaee Settanee had dismissed the woman Phunnee from the service; but I did not ascertain for what reason she had been so dismissed. Neither do I recollect the party from whom I heard the above rumour, or the parties who were present at the time, because about three years have since elapsed, and at the firm there being many goomastas, any rumour which each may have heard is communicated to one another; besides, the above was not a subject of such weight as to cause the proofs regarding it to be committed to writing or retained in one's memory. Therefore, what I had at the time heard, upon recollecting, when examined by the Sirkar, I made known; further I recollect nothing regarding this affair.

(signed) *Bhyjee Ghaillah.*

6. *Answer of Damodur Doolub.*—Immediately after the Settjee's death the woman Phunnee was attached to the service of the Settanee Joitabaee, from which time she continued in the said Settanee's service; and when the younger Settanee had removed to the house of her parents for the purpose of being confined, she also accompanied her. Eighteen or twenty days afterwards—the day and date I do not recollect, but about this time a rumour obtained at the firm to the effect that the brother of Goomashta Meetharam had died, and that the woman Phunnee having assisted for two or three days at the house of the said Meetharam she was unable to attend at the Settanee's, and that for this reason the Settanee had dismissed her from her service. The above rumour I heard, but from what particular party, at what time, and in whose presence it had been mentioned to me, three years having since elapsed, I at present cannot recall to my recollection so as to be enabled to mention their names.

(signed) *Damodur Doollub.*

7. *Answer of Bapoojee Kooburdas.*—I do not perfectly know for what reason and under what circumstances the woman Phunnee was dismissed, but at the time the deposition was being taken, the whole of the goomashtas commenced talking about what they had heard amongst themselves about the affair, and consequently I also made known what I had also heard.

(signed) *Bapoojee Kooburdas.*

8. *Answer of Dulputram Kesowdas.*—About three years ago the Settanee Joietabaee was living at the house of her parents, and the woman Phunnee accompanied her for the purpose of assisting her at her accouchement. About a month afterwards the following rumour was circulated at the firm that the brother of Meethalal had died, and as Phunnee became acquainted with Meethalal from living in the same neighbourhood, she remained there for two or three days, for the purpose of rendering assistance, and therefore she was unable to attend the Settanee's, and that for this the said Settanee had dismissed her from her service; a rumour to the above effect I heard at the firm, but from whom or in whose presence such rumour had been communicated to me, from the length of time intervening, I do not recollect, because there are many goomashtas at the firm, and whatever each of them hears, they generally repeat; therefore if a person be seated at the firm he cannot help hearing the same; in the above manner, what I had heard I made known when my deposition was formerly taken, but any further particulars, as to its truth, I know not.

(signed) *Dulputram Kesowdas.*

44.

TRANSLATE of a Yad from his Highness the Guikwar to the Resident; dated the 23d Moon of Rubbil Ahkur, S. S. 1251 (25 February 1851).

A YAD of five paras. regarding the case of Joitabaee Settanee, dated the 22d instant, No. 210, has been received from the Residency, and the reply thereto in detail is as follows:—

Para. 1. "For what length of time is a woman supposed to be with child previously to her being delivered"?—This the Sahib having written, I beg to submit that the usual period that the child is supposed to remain in the womb is nine months, and in the tenth month for it to be brought forth; but there are many cases in which females are accouched in the seventh, eighth, and eleventh months of gestation.

Para. 2. "If a woman be accouched on the 1st May 1851, when will it be reckoned that she had been impregnated"?—Thus it being written, I beg with reference to this to submit that, allowing the woman to have been pregnant for nine months, reckoning back from the date given above, it would appear that the woman must have been impregnated on the 1st August 1850.

Para. 3. "If a woman be accouched on the date given above, on what date must she have arrived at her fifth and seventh months of gestation, and by what means do such females judge of their having attained the above months, for the purpose of observing the necessary ceremonies"?—Thus it being written, be it known, that explanation has been given upon this point in the 2d para. *i. e.* that by reckoning back from the date of delivery, the time when she attains her fifth and seventh months is ascertained, and in cases

of females who have had their usual courses, such female and her relatives reckon the time of her pregnancy from the month in which such courses might have ceased to flow; and by the same means, as also from the said female's personal appearance, the fifth month of gestation is ascertained, and from the above means the necessary ceremonies of the fifth and seventh months are fixed upon and observed.

Para. 4. "How do pregnant females, by reckoning from the month of their accouchement determine the exact date in which they had been impregnated"?—With reference to the above, I beg to submit that the exact date of impregnation cannot be ascertained, and that the explanation upon this is given in the 2d paragraph.

Para. 5. "All that is necessary for pregnant females to perform in the fifth and seventh months of their pregnancy should in detail be submitted?"—With reference to this be it known, that amongst the Goozerattee people, in cases of females being pregnant for the first time, the "rhackdee bhundan" ceremony is performed, and if it be their pleasure they either feast the caste or their friends only; and after the sixth month, in the seventh and eighth months the "ahgunnee" ceremony is formed, by filling the said female's lap with sweets, &c.; upon this occasion the caste is generally feasted, but in certain cases where the parties have not the means, the "rhackdee bhundan" and the "ahgunnee" ceremonies are performed at one and the same occasion.

From what is stated in the above five paras. the subject will be understood.

45.

TRANSLATE of a Yad from the Resident to his Highness the Guikowar, dated the 1st March 1851.

IN the investigation of the finding case of Joitabaee Settanee, the want of the deposition of Landbaee is considered an obstacle to the above purport; formerly many yads had been received from the Guikwar, subsequently however the deposition of the said Landbaee would appear to have been taken by the Guikwar Sirkar, and consequent thereupon Joitabee Settanee having petitioned the Bombay Government, the orders of the said Government had been received; but after the investigation of the case of Joitabaee Settanee, the reason why the said deposition of Landbaee, taken by the Guikwar Sirkar, had not accompanied the rest of the papers connected with this case which had been transmitted to the residency, the Resident is at a loss to understand, and there it is requested that the transmission to the Resident of the said deposition in original be expedited.

46.

TRANSLATE of a Yad from his Highness the Guikowar to the Resident, dated 30th Rubbeel Ahkur, S.S. 1251 (4 March 1851).

A YAD from the Resident, dated 1st March 1851, No. 231, has been received, in which it is stated that at the investigation of the case of Joitabaee the deposition of Landbaee had been taken by the Sirkar, and that the Resident cannot understand why the said original deposition had not accompanied the rest of the papers connected with this case, which had been transmitted to the Resident, and requesting that the transmission of the said original deposition to the Resident be expedited. In reply to the above, be it known, that copy of the deposition of Landbaee accompanied the proceedings in the case of Joitabaee, which had been transmitted to the residency, and by examining the papers connected with the proceeding, this will appear; but agreeably to the request contained in the Resident's yad under acknowledgment, Landbaee's deposition in original has been sent to the Resident by Sumbooram Kooshall. This is written for the information of the Sahib.

47.

TRANSLATE of a Yad from his Highness the Gaekwar to the Resident, dated the 20th Moon of Jammadil Ahwel, Soor Sun 1251 (24 March 1851).

IN a yad received from the residency, dated the 7th instant, No. 250, it is stated that formerly, constantly yads were received from the Gaekwar Sirkar, intimating that great obstacles existed consequent upon the deposition of Larbaee not having been taken, and thereupon such deposition was taken; and the proceedings which subsequently took place have been brought upon the summary in this case; whereas the above deposition, a document of such importance, being left out, the Resident cannot understand the reason for, and therefore it is requested that explanation in writing upon this point be submitted. A further yad upon the above subject has also been received, and, in reply, be it known, that Bhasker Row Withul, Bheemashunker Gungadur Shastree, &c., the parties who had been nominated to conduct the investigation in the above case, upon being called upon to explain the reason why this deposition had not been recorded in the summary of this case, they, in reply, submitted a yad of particulars, copy of which is herewith transmitted to the Resident, and, from its perusal, the subject will become elucidated.

Enclosure to the foregoing Yad.

TRANSLATE of a Yad on the part of the Punch Kamdar, presented by Karkoon Hurree Gungadhur to his Highness the Gaekwar, dated Phalgun Vud 5th, Sumvut 1907 (22 March 1851).

IN the investigation of the case of Joeetabaee Settanee, the widow of Bechurbhaee Samuldass, and on the deposition of Larbaee having been taken on the 14th Bhadurwa Vud, S. 1904 (26 September 1848), the reason why (since it was indispensably necessary) it had not been recorded in the summary of the said case, the Sirkar directed should be ascertained from the members of the punchayet appointed to investigate the case; viz. Bhasker Row Withul, Khasgeewala, Bheemashunkur Gungadhur Mootalick, Narrain Row, Mahdae Mujmoodar, Gopalrow Myral, and Chooneelall Lulloobhaee, and reported to the Sirkar. In reply they stated that, in the above deposition, Larbaee deposed that she had petitioned the Bombay Government, and that all the particulars of her case, which she was desirous of making known, were contained in her petition, and that agreeably to which, after arrangements were made, she would produce such proofs as she was desirous of producing, &c.; thereupon, as the substance of the petition adverted to above, had been brought upon the summary, therefore it did not appear necessary to notice the substance of the above deposition in the said summary. "The above having been made known, I beg to submit for the Resident's information."

48.

TRANSLATE of a Yad from the Maharaj to the Resident, dated the 21st Moon of Jammadil Ahwul, S. S. 1251 (25 March 1851).

IN a yad received from the residency, dated the 24th instant, No. 302, it is stated, that "in the investigation of the pending case, Joitabaee Settanee, the depositions of Wamun Row Vurkettish *alias* Baba Nafra, Nos. 93, 100, and 102, had been taken at the Durbar, and the papers upon which such deposition were written, from the first to the last bund, are not similar to one another; and it would appear that first bunds have been subsequently introduced, and in some places the last bund agrees with the first, but the intermediate bunds disagree from one another; but pieces appear to have been patched on: and in the backs of the joinings of each of the bunds the signatures obtaining do not agree with each other, neither do the characters of such writing agree with each other. And in the back of the deposition, No. 100, in the joinings of the bunds in some places, the name Womunrow obtains * in Guzerathee characters, whereas, in many of the joinings, Baba Nafra obtains in Maharatha characters; thus the signature appears. Therefore Soorujram Gungaram, the native agent, had been sent to Baba Nafra, and he interrogated the Baba about the above writing, when the Baba distinctly informed him (the native agent), that he would give no explanation whatever; therefore the above depositions are sent for the purpose of this subject being investigated, and detailed explanation furnished, &c." With reference to the above be it known, that the deposition, No. 100, having come to hand, it has been ascertained that, upon the joinings of the bunds of such deposition, Gozerathee signatures were made by the son of Baba Nafra, and the signatures in Maharatha by Tutteeyaba and his son, by the orders of the Baba; and at the bottom of this deposition, signature of the Baba in his own handwriting obtains; and there appear to be no pieces of paper patched to the bunds of this deposition. The Suddur Nyadaishee Kamdar, and the Kamdar of the Rowpoora Chubbootra, these two parties were engaged in taking the above depositions, therefore, from amongst their dufturs, as was needed, the paper was taken, and consequently the bunds are not uniform. The depositions, Nos. 93 and 102, these depositions, during the investigation of the above case, in the lifetime of the late Maharaj Mursurfrazali, Gopal Row Myral, &c., were nominated a punch, and in the presence of the above parties these depositions were taken; and therefore, upon interrogating them, they state that, at the bottom of deposition No. 93, the signature obtains in the Baba's own handwriting; and that the signatures also upon the joinings of the bunds of this deposition were made by the Baba; and upon the joinings of the bunds of the deposition No. 102, being directed to do so by the Baba, his son had signed his name, and therefore there is no necessity for entertaining any suspicions about the pieces of paper supposed to have been patched to the bund of this deposition; and the usage also is, that after the deposition has been taken, and read over and explained, if the deponent should contend that the statements in the deposition be not in accordance with what he had deposed to, the portion of the bund containing such disputed statements are cut out, and a new one glued to the bund from which it had been separated, and the signature of the deponent taken upon such paper, consequently it is not reasonable to entertain any suspicion about such substituted or curtailed bunds.

* *S. O.*

Further, this case was for a long time pending, and therefore a uniformity in the size of the paper cannot be expected, because, as at the time the paper was procurable, such was used for the purpose of taking the deposition from time * in this case; and for the purpose of acquainting the Sahib Bhadoor with the above particulars is this memorandum written.

* *S. O.*

Further, in a friendly way, it is communicated to the Sahib, that Soorujram Bhaee had been

been sent to Baba Nafra for the purpose of having the doubts regarding the signatures in the above depositions explained, but in the Sirkar's Hoozoor Kutcheree, the depositions taken had been sent to the Sahib, upon which, however, the Sahib placed less reliance than what it appears the Sahib was inclined to place upon had been advanced by the prisoner; but whether such be proper for the ends of justice, or otherwise, the Sahib Bhadoor should be pleased to take into consideration. But if it had been intended to take for granted the statements of the prisoner, there existed no necessity whatever for the evidence of other parties to have been taken, and an adjustment of this case made; but what occurs to the Sahib Bhadoor's mind is true. To write more there is no necessity; it is left to the Sahib's pleasure. In accordance with the orders of the Sahib Bhadoor, the original depositions (three in number) which accompanied the Sahib's yad, under acknowledgment, are herewith returned.

(True translations.)

(signed) *M. Battye*, Assistant Resident.

Appendix (K.)

JUDICIAL COMMISSIONER'S REPORT, with Enclosure.

From *Gregor Grant*, Esq., C. S., to Colonel *Outram*, C. B., Resident, Baroda.

Sir,

I HAVE the honour to acknowledge the receipt of your letter of the 2d instant, and of the accompanying papers and proceedings in the case to which it refers, in respect to which you have done me the honour of asking my opinion.

2. On receipt of the papers, I desired my sherestidar to examine them, and to prepare a short summary of the case, together with a statement showing any exhibits to which suspicion appeared to him to attach, and the nature of the suspicious indications, if any.

3. I now forward to you his summary and statement, which I have tested by an examination, though not so careful a one as I wish my time had enabled me to bestow on them, of the documents to which they refer.

4. Without adopting the summary altogether, I think I am justified in saying that it draws a tolerably correct picture of the case. The framer has, in submitting his ow opinion so extensively, gone beyond what I intended he should do; but it is too late now to make any alteration.

5. The statement particularises the documents which appear to have been tampered with, and endeavours to show how.

6. You ask me whether the papers and proceedings submitted by the punchayet appear to me to contain internal evidence of fraud and untrustworthiness.

7. I have been able, as stated above, to bestow only a very inadequate attention on their inspection; but it has been sufficient to enable me to pronounce them, with the exception of those made before yourself, not only wholly worthless and untrustworthy, in my opinion, as evidence, but to bear the strongest marks of fraud. None of the depositions, save those taken by yourself at the residency, show even before whom they were made. They may have been made before the punchayet, but they are not authenticated by any of its members, nor is it stated where, nor by whose authority they were taken.

8. In almost all depositions, especially in the most important ones, there are palpable substitutions of fresh bunds, mutilations, erasures, and forged signatures; the chief object of which seems to have been to give retrospective existence to an alleged confession which, if proved, must have been fatal to the prosecution, and secured the prisoner's acquittal, at all events of the most serious portion of the charge on which he was being tried; I allude to the confession of guilt and supplication for forgiveness alleged to have been made on the 21st March 1847, by Settanee Joitabaee, for presentation to his Highness the late Guicowar.

9. That this document is a forgery, and that its fabrication was an after-thought, there can, I think, be no rational doubt. It is altogether incredible that, had such a fact been in existence when the first investigation at Baba Nafra's house was going on, and then, as we are now told, it was within the knowledge of the Baba and two of his witnesses who were examined at that trial, it should not have been once alluded to in any of the statements or cross-examinations. It would have turned the prosecution out of court. It bears date, and is said to have been signed and passed on 21st March 1847; and Baba Nafra, Phunee woman, and Dadoo Havildar, have subsequently declared that they witnessed its writing and passing. Phunee was examined by Baba Nafra on the 3d April 1847, 10 days afterwards, and yet not one syllable is there in her examination of this clinching document. Its non-production in original before the punchayet, the omission on the part of that tribunal

to

to call for the original, not only in the face of the strong suspicion attaching to it, as shown above, but after the writer had declared on oath that it was a forgery, written at Baba Nafra's desire, in the absence of and unauthorised by the Settanee, and their apparent recognition of the copy as that of a document the authority of which had not been questioned, are circumstances exciting strong suspicion, and which indicate, to say the least, a very strong leaning on the part of the punchayet towards the prisoner.

10. Even in her deposition before the punchayet, so late as 18th September 1848, Phunee is silent in regard to this alleged confession until towards the close of her cross-examination, which, moreover, is written on one of the apparently substituted new bunds; not a word of the all-important confession in the long uninterrupted statement preceding the cross-examination. This remark equally applies to Baba Nafra's own deposition, made 29th Nov. 1847, and to Mahaluxmeebaee's of the 10th Dec. *idem;* though, by the bye, this lady has subsequently distinctly denied having ever made such statement at all.

11. I need not, however, review the evidence in detail. That most of the depositions have been falsified, and that the object of the falsification was to screen the prisoner, is, I think, beyond a doubt. The complicity of the punchayet in this attempt is, I fear, too obvious; for on what other hypothesis can their suppression of and subsequent extreme reluctance to give up the depositions made before Baba Nafra, called for in your yad of the 11th January 1851, and all of which, especially those of Phunee woman, and Dadoo Havildar, tell so much against the prisoner, on his shifted defence, be explained? Why else did they not notice the fact staring them in the face, that the alleged confession of the Settanee was a fresh fabrication of the prisoner, made in the hope of propping up his tottering defence? Why return without comment the depositions made before you (and which those made before Baba Nafra, suppressed by the punchayet, corroborate), proving that the confession was a forgery? Why object, on such extraordinary grounds as that one of the witnesses was Joitabaee's mother, another her relation, and that a third said it was a moonlight night (which it was), the evidence of Joitabaee's accouchement, followed by the public celebration of the event with great pomp and cost, and subsequently by the betrothment of her son, which was attended by almost all the nobility of Baroda, and I believe by the Guicowar himself; whilst the depositions of Moteeram Syed, who asserts that he was allowed, without any other person being present, to ascertain whether a Hindoo woman of high rank and position was *enceinte*, by passing his hands over her belly, and of the woman Phunnee, are declared weighty?

12. But there was another act of the punchayet which still more unmistakeably demonstrates the spirit in which the investigation was conducted by the punchayet.* Two of its members were deputed to take the unhappy Joitabaee's statement. She requested, as she was herself unable to read or write, that some person in whom she could confide, might be present to satisfy her, before she signed the statement (a statement on which her all in life probably depended), that it contained only what she had deposed.

13. Her request was refused.

14. Another extraordinary feature in this case is, the unathorized formal inquiry, at his own house, by Baba Nafra, into charges against his own employer, and that too at a time when the circumstance of that employer having duly offended him by objecting to his opening the treasury of the firm, and by having applied to the Guicowar to oblige him to render an account of his stewardship, made such a procedure doubly objectionable.

15. But neither on this, nor on the manner in which the Baba obtained the will which put the enormous wealth of his late master in his power, do† the punchayet† offered any observation. † *S. O.*

16. I have endeavoured,‡ the foregoing remarks, to confine myself as much as possible to the points bearing on the fraudulent and dishonest intention apparent in, or to be inferred from the alterations and mutilations of the papers under review, the question referred to me. ‡ *S. O.*

Kaira, 22 February 1851.

I have, &c.
(signed) *G. Grant*, C. S.

(True copy.)

(signed) M. Battye, Assistant Resident.

---

* *Note by Lieutenant-colonel Outram.*—The first punchayet was not, as Mr. Grant supposes, composed of exactly the same members as the second. But this circumstance, far from improving the aspect of the case, only shows how systematic and iniquitous has been the partiality towards Baba Nafra, displayed by the Durbar, appointed nominally to investigate the case.

TRANSLATE of a Report submitted by Nourrith Rye Ghunvuchram Sheristadar, to G. Grant, Esq., Visiting Judicial Commissioner in Guzerat and Konkun, in the case of the Son of Joetabhaee Settanee.

IN this case, the whole of the papers, including the summary of the case drawn up by the punchayet named by the Gaekwar Sirkar for its investigation, and the memorandum of the awards having been taken into consideration and duly weighed, it would appear that in the city of Baroda, amongst the caste of the Veesalaud Banians, the most celebrated merchant amongst them was named Bhachurbhaee Sammuldass, aged about 43 years, his first wife, Mahaluxmeebhaee, about 35 years, his second wife, Joetabhaee, about 21 years, the son of the elder Settanee Maha Luxameebhee about nine years old, and the Sett's chief karbaree named Wamon Row Venkettish, alias Baba Nafra, about 54 years. Thus were the several parties in this case, and when this Bhachurbhaee above-named became dangerously ill on Monday, Shrawun Sood 1, S. 1901 (4 August 1845), when the said Sett was unconscious, the above-named karbaree prepared a will in the Sett's name, naming himself therein the sole administrator of the said Sett's affairs after his death, and this will he executed secretly after midnight; and in the said will it had also been directed that the sum of (2) two lacs of rupees should always be retained in deposit in the said firm, and annually a sum of 25,000 rupees should be decreased from the expenses of the firm; subsequently Joetabhaee Settanee had her periodicals, and which remained upon her for about seven days; but notwithstanding which she appears to have been at the time *enceinte*, and during which time the Sett on the 2d Bhadurwa Sood, S. 1901 (3 September 1845), breathed his last; afterwards, on the 8th Magsur Vud, S. 1902 (22 December 1845), at midnight, Joetabhaee Settanee's accouchement took place at the house of her parents, and she gave birth to a son.

Vide depositions taken at the Residency, of—
1. Bhannabhaee Khandass.
2. Hurree Bhyechund.
3. Maha Luxameebhaee.
4. Vyde Mnodheeram.
5. Vittul and Jhetta.

3d. 21st.

Depositions taken before the first punchayet: Bhannabhaee, No. 82.

Deposition taken at the Durbar: Lullo Bhugwan, No. 18.

1. If the depositions noticed in the margin be true, it would appear that subsequently to the 9th Bhadurwa Sood, S. 1902 (31 August 1846), the said Baba applied to Joetabhaee Settanee for permission to open the "jhamdar kanna" (treasury), and that she replied that the boys were still much too young, and that there was no scarcity of funds available, and that consequently the treasury should not be opened; for this reason, and because Joetabhaee Settanee had requested the Gaekwar Sirkar to induce the Baba to render an account of the funds of the firm, owing to his administration of its affairs, and had obtained from the Gaekwar Sirkar orders to the said Baba to that effect, Baba Nafra in the month of Maha, of S. 1903 (January, February 1847), determined that as Joetabhaee Settanee had taken measures to make him render in an account, every means should be availed of to make it appear that Settanee Joetabhaee had procured a spurious son, so that her power might be diminished. From the above two causes it would appear that the Baba's enmity with the Settanee Joetabhaee emanated.

* *See* below.

2. From the 17 depositions noted in the margin,* it would appear that Joetabhaee Settanee's accouchement took place in the ordinary manner at the house of her father, Bucktee, alias Bhannabhaee, and that she gave birth to a son, and that the amount expended in celebration of this propitious event was in every way similar to that disbursed on the occasion of the birth of the first-born son to this wealthy family; and the expenditure was in accordance with the respectability of the family, and in unison with the usage of the world, liberal in the extreme; and these disbursements would appear to have been made by the Baba himself; this boy would appear to have been named Moteelalbhaee; and further, his betrothment also in his tender age was made publicly before the nobility of the city, and the king.

† *See* below.

3. From the five depositions noted in the margin,† it would appear that the Settannee personally suckled her infant son for one month after his birth; and that subsequently, upon her milk failing her, the wet-nurses Ghunga and Khoshallee were entertained to suckle the infant; and that these females used to suckle the infant alternately; and that these females had also nursed the child, and that the child had attained the age of 14 months.

4. The following facts then may be considered established, that the Settanee Joetabhaee was *bonâ fide* delivered of a son, and that the infant had parties in attendance upon him, and that the Baba and others were fully cognizant of the above facts.

5. That the Baba, availing himself of the supreme power vested in him by the above adverted-to

---

* *Depositions of the First Punchayet*:—1. Joetabhaee Settanee, No. 81; 2. Bhanabhaee, 82; 3. Rhawa woman, 85; 4. Muncha woman, 86; 5. Bhachur Barbur, 87; 6. Baba Nafra, 93; 7. Maha Luxmee Settanee, 94; 8. Baba Nafra, 100. The above depositions were taken by the first punchayet, at the Durbar.

Depositions taken at the Residency:—9. Lulloo Bhugwan, Bhugwan Buwanneedass, and Bhycjee Gilla: 10. Itcharam Vennarsee; 11. Dhamother Dullub; 12. Seetaram Jemadar, 86; 13. Veesvanath Vumallee, 64; 14. Joetabhaee Settanee, 88; 15. Laudbhaee, 89; 16. Maha Koovur, 90; 17. Mhuncha woman, 91.

† *Depositions taken at the First Punchayet*:—1. Joetabhaee Settanee, No. 81; 2. Ghunga woman, 83; 3. Kooshalgee woman, 84.

Depositions taken at the Residency:—4. Joetabhaee Settanee, No. 88; 5. Ghunga woman, 65.

adverted-to will of Set Bhachurbhaee Samuldass, abused the confidence reposed in him, seared his conscience against the dictates of honesty, entertained evil and nefarious machinations against the wife of his master and the firm, and perpetrated great crimes himself personally, and caused others to do so, as detailed hereafter, viz. :—

6. Assertion, that a spurious boy had been obtained by Joutabaee Settanee from the village of Meetapoor, Purgunnah Nuddeyad, Zillah Kaira, under the jurisdiction of the British Government, and that this supposititious child had subsequently died of small-pox, has been, from the deposition noted in the margin,* proved to be the fruit of a deep intrigue, and perfectly false.

* *See* below.

7. It would appear that Baba Nafra, in the month of Maha, St. 1903 (January, February 1847), requested his intimate friend, Lulloo Bhugwan, to procure spurious parents for the son of Joiteebaee Settanee from some of the villages situated at a distance, under the jurisdiction of the British Government, offering him as a reward 25,000 rupees in ready cash, and a stipend of 1,500 rupees annually; and it would appear that consequently upon such reward being promised to him, this Lulloo Bhugwan had proceeded to Sowlee, and having acquainted Bharrote Phurtaub Dyaljee and Jemadar Joozuff Meetun with the affair, he got these parties to confederate with and render him assistance in the realization of his nefarious machinations; after which it would appear that Lulloo and the Jemadar proceeded together to Meetapoor, and when they arrived there, the Jemadar introduced Lulloo to Thakoor Amersing of Meetapoor, and the thakoor promised to afford the said Lulloo every assistance in his power; and that Lulloo then informed Amersing and Rungjee Bheekha, that if they procured fictitious parents for the son of Joiteebaee Settanee, that they would be remunerated with liberal presents; that these parties would appear to have consented to Lulloo's propositions, and that the whole of them conjointly, by holding out promises of considereble reward, had gained over Kollee Ruggoonath and his wife, Rulleeyath, to personify the part of spurious parents to the lad in question; and Kollee Ghammaun Mhowsing they succeeded in persuading to act the part of the boy's uncle; and after having settled these preliminaries in the month of Phalgoon, St. 1903 (February, March 1847), the said Lulloo, accompanied by the three above-named kollees, Amersing, Jheetsing, Jheebhaee, and Gainghur Goosagen, thus in all making eight persons, arrived at Baroda, and Lulloo located his colleagues in the garden of Hurree Bhucktee.

8. Lulloo then informed Baba Nafra of their arrival; and so the Baba ordered that four Arabs belonging to the firm should be placed as guards about the garden, and other precautionary measures were taken to prevent any one having access to these eight persons, and to prevent these parties from running away from fear; for seven days thus were these eight persons kept under surveillance, and Lulloo had the management of procuring them supplies; and each day Lulloo Bhugwan used to visit them in the garden to cheer them up with promises. The above evidence clearly shows that the Baba had kept the above parties, through Lulloo, under confinement, in a private manner.

9. It would further appear, that on Phalgoon Sood 10th, S. 1903 (24 February 1847), on the next day, in the city of Baroda, Baba Nafra, at his own house, got prepared a deed or bond, and dated it Magseer Vud 8, St. 1903 (22 December 1845), *i. e.* the day on which Jouteebaee Settanee's accouchement took place. This deed was written by the said Lulloo's son, Mhansook, in the presence of Lulloo, agreeable to the Baba's dictation; and the Baba's private servant, Mhounlall Phurboodass, forged thereto the signature of Bhucktee Khandass, *alias* Bhanabhaee, the father of Joitabaee, and this deed is to the following effect; *i. e.* that Bhucktee Khandass had purchased the son of Kollee Ruggunath, and in lieu for his having done so, agrees to give the said khollee an annual stipend of 201 rupees for ever; the object of this conspiracy being to ruin the said Bhucktee, *i. e.* the Settanee Joiteebaee's father, and the Settanee Joutebaee herself.

10. This spurious deed seems to have been taken by Baba Nafra and Lulloo Bhugwan on Phalgoon Sood 10th, about nine o'clock, to the garden of Hurree Bhucktee, at Baroda, where they had some conversation with the Metapoor eight kollees, when the kollees demanded 3,000 rupees; and the Baba answered that he would only give them 500 rupees; after

---

* *Depositions taken by the Baba, at his own House:*—1. Phoollee woman, No. 1; 2. Kollee Ruggoonath, 2.

Depositions taken at the First Punchayet:—3. Kollee Ruggoonath Nutboo, No. 6; 4. Sheetsing Jhallumsing, 7; 5. Ghumman Mhowsing, 10; 6. Ameersing Hurreebhaee, 11; 7. Jheebhaee Hurreebhaee, 8; 8. Rhungjee Bheeka, 9; 9. Lulloo Bhugwan, 12; 10. Phurtaub Dyaljee, 13; 11. Bhannabhaee Khandass, 82; 12. Phoollee women, 50; 13. Bhugwan Buwanneedass, 49.

Depositions taken at the Residency:—14. Amersing Hurreebhaee, No. 19; 15. Rhungjee Bheeka, 17; 16. Jheebhaee Hurreebhaee, 18; 17. Jheetsing Jhallumbhaee, 16; 18. Ghumman Mhowsing, 15; 19. Rulleeyath woman, 14; 20. Seetaram Jemadar, 68; 21. Phurtaub Dyaljee; 22. Lulloo Bhugwan, 2d Jaist, 2; 23. Mhunsook Lulloo, 41.

Depositions taken at the Durbar:—24. Jemadar Joozuff, No. 29; 25. Lulloo Bhugwan, 28; 26. Bhannabhaee Khandass, 92; 27. Rulleeyath woman, 22; 28. Ameersing Hurreebhaee, 23; 29. Rhugjee Bheeka, 24; 30. Ghumman Mhowsing, 25; 31. Jheetsing Jhallumsing, 26; 32. Jheebhae Hurrebaee, 27.

Deposition taken at the Second Punchayet:—33. Lulloo Bhugwan, No. 30.

after a deal of altercation the amount was finally settled at 1,700 rupees, to be divided amongst these eight persons; and after this point had been adjusted the Baba delivered the above fictitious deed to Ruggoonath, and he instructed them to take the deed to the house of Bhannabhaee and demand payment, and this they agreed to do. In this manner did the Baba scandalize and disgrace Jouteebaee, and pollute and degrade a high caste Bannian child, by consigning him to the care of low caste kollees.

11. It seems that on Phalgoon Sood 11th, St. 1903 (24 February 1847), Kollee Ruggoonath Nuthoo, and the others, conjointly in a body, went to the house of Bhannabaee and showed the deed and demanded payment; whereupon much altercation took place between Bhannabaee and these parties; but their story not being listened to, Kollee Rugunath and his party, as previously instructed, proceeded to the firm of Hurree Buktee, and complained.

12. It further appears that Kollee Rugunath and his colleagues then went to the Baba to complain, and he informed the Baba that Bannabaee had, through the instrumentality of Kolleen Phoollee, purchased his son for Joitabaee Settanee, for the sum of 200 rupees, and that of this sum he had been paid the sum of 100 rupees, but that he could not get Bannabaee to liquidate the balance; and that upon going to demand the same Bannabaee declared that the boy was dead, consequently that he (the Baba) should cause the amount due to him, as stipulated in the deed in question, to be paid to him or restoration of his son to him; and upon this the Baba caused the deposition of Rugunath to be taken down in writing, and caused sentinels to be placed upon the apartments occupied by the Settanee Joitabaee, who was kept a prisoner; and Rugunath and his colleagues having promised to liquidate their demands, he then and there dismissed them; subsequently he caused the deposition of Phoollee woman also to be taken. It was then rumoured through the city that Settanee Joitabaee had purchased the son of a koollee. Thus the Baba added to his other crimes against her, illegal and unjust imprisonment, on evidence unauthorizedly taken by him privately at his own house.

13. Upon being informed that Joitabaee had been placed under restraint, her mother Laudbaee went to Ghirja Baee, one of the Guicowar Sirkar's queens, and made known all the difficulties her daughter was labouring under, and she was informed that the whole of the particulars of her case had been made known to the Sirkar; and further, Bhannabaee, through Succaram Phurshotum, had an interview with Row Sahib, and acquainted him with all the particulars of his case, to which the Row Sahib replied, that he had acquainted the Sirkar with all the particulars, and consequently it was quite unnecessary for him to have an interview. It is very distressing to think that in such a populous and large city that such oppression has been unjustly practised upon the wife of an opulent merchant, and that upon a complaint being made the Sirkar afforded no redress.

14. It appears that the Meetapoor Koollee Rugunath and his colleagues in a short time afterwards, *i. e.* Chytur Sood 6th, St. 1903 (22 March 1847), as directed called at the firm of Hurree Bucktee, when the Baba informed Rugunath that his son was dead, and that therefore he should not expect to receive the stipend annually, but that the 100 rupees which remained due he should receive on his returning the leckh; that having taken the proposition into consideration, Rugunath and his party consented, whereupon Baba paid Rugunath the sum of 100 rupees, and received back the leckh, and an acquittance in the name of Sett Phurshotum Bhacheerbhaee, from Rugunath, which the Baba caused to be written out by Rungjee Bheeka, who attached the signature of Rugunath thereto, and this was attested by Ameersing Hurreebhaee, Jheebhaee Hurreebhaee, and Jheetsing Jallum Sing; and in this matter to Jhetsing and Ameersing, he gave an hundred rupees each, total 200 rupees; and to Rungjee Jheebhaee, and Ghooman and Mhow Sing he gave 25 rupees, total 75 rupees: in all a total of 275 rupees, the Baba disbursed. Thus it would appear did the Baba by falsehood and forgery endeavour to make the son of his own master the son of a kollee, and squandered the money of his employer.

* *See* below.

15. From the depositions noted in the margin *, it would appear that the Baba made it appear

---

* *Depositions taken at Home, by Baba Nafra:*—1. Dadabhaee Mirza, No. 31; 2. Dhulleeya Banna, 32; 3 Dhoondee woman, 33; 4. Jhoreeya Jhusla, 34; 5. Eshwar Vunnarsee, Ryejee Bhachur, and Nurrotum Narryan, 36; 6. Syud bin Munsoor, 37; 7. Hurjeewan Ghowlumram, 39.

Depositions taken at the First Punchayet;—8. Dadabhaee Mirza, No. 40; 9. Nurbaram Dullub, 56; 10. Dhulleya Bhanna, 41; 11. Dhondee woman, 44; 12. Jhoreeya Jhusla, 42; 13. Ryejee Bhachur, 43; 14. Nurrotum Narrian, 45; 15. Bheeka Hurreebaee, 46; 16. Bhoodur Bhanna, 47; 17. Eshwar Vunnarsee, 50; 18. Hurjeewan Ghowlumram, 51; 19. Sallum Hussein, 52; 20. Hoossein Nasur, 53; 21. Syud Munsoor, 54; 22. Mahomed bin Ahmed, 55; 23. Bhugwan Buwaneedass, 49; 24. Seetaram Gopal, 96; 25. Bhanabhaee Khandass, 82; 26. Dyashunker Nirbaram, 99; 27. Kooshallee woman, 84.

Depositions taken at the Residency:—28. Seetaram Gopal, No. 68; 29. Dadabhaee Mirza, 57; 30. Dhulleya Bhanna, 59; 31. Dhoodie woman, 58; 32. Jhoreeya Jhusla, 60; 33. Hurjeewun Ghowtumram, 63; 34. Narrotum Narrian, 62; 35. Syud bin Munsoor, 70; 36. Mahomed bin Ahmed, 69; 37. Bhugwan Buwaneedass, 71; 38. Atmaram, 65; 39. Peetambur Sewlal; 40. Veesvanath Vunmallee, 64: 41. Bhugwan Buwaneedass; 42. Verzbhootum Eshwur; 43. Ryejee Bhachur, 35; 44. Neerbaram Bhatteeya, 66.

Depositions

appear that the lad procured by Joitabaee Settanee from Meetapoor having died, another boy had been procured from Tullaveea Dulleeya, of the Amleeyara village, belonging to the firm of Hurree Bhucktee, the truth being, that under the above plea the son of the Settanee had been made over to the above Tullaveeya Dhulleeya defiled, and subsequently died in confinement.

16. The Baba asserted that when the rumour about the Meetapoor Kollee's affair was bruited about, when one night a goomasta informed him that Landbaee was in the habit of frequenting the house of Dada Meya Havildar at nights, and that Dada Havildar was dancing about from place to place; that upon this information reaching him, he gave Allum Seepahee 50 rupees, and got him to find out Dada Havildar's whereabouts, after which, he, it appears, sent 40 or 50 persons, who apprehended Dada at Bhudrun Beebee's, brought and placed him in confinement, and kept him for two or three days without any food; of this act of oppression the Baba would appear to have been guilty.

17. This havildar the Baba confined in a house opposite to that of Hurree Bucktee's, from which place, on Phalgoon Vud 6th, S. 1903 (8 March 1847), through Bhatteeya Nurbaram Doollub, he sent for him, and got Nurbaram to interfere; and by force and oppression the havildar seems to have been persuaded to depose according to the Baba's wishes, and notwithstanding the havildar's protesting against it, he drew up a false deposition, and got the havildar to sign it; and this false deposition he got Nurbaram to sign himself as an attesting witness. The substance of this deposition was to the effect that the havildar had procured the son of Kollee Dhulleeya Bhanna for Joitabaee for 100 rupees, and for which deposition the Baba, by two payments, gave to this havildar the sum of 415 rupees, and to Nurbaram, for having attested this deposition, the sum of 66 rupees; and this havildar he had confined for about 10 or 12 days; and when the havildar became very ill, and nearly dead, the Baba permitted him to be released. These additional acts of oppression and injustice the Baba committed.

18. After having been guilty of the above on Phalgoon Vud 6th, S. 1903 (8 March 1847), Baba, as previously arranged, despatched Mehta Hurjeewun Ghowlumram and Seepahees, and Arabs, to the village of Amleeara, and caused Tullaveeya Bhanna, his wife Dhoodeeya, and Jhooria Jhusta, to be apprehended, and brought; and they returned at night, and were placed in a room in the garden of Hurree Bhucktee, and seepahees were placed as a guard over them.

19. The next day, on Phalgoon Vud 7th, S. 1903 (9 March 1847), Baba Nafra sent for these parties, who had been in confinement, and took down their respective depositions at his own house. Virzbhookur Eshwur wrote out these depositions, and in them these parties denied having given the boy, and an altercation resulted; but ultimately the Baba caused these depositions to be made out agreeably to his desire, and, in accordance with the depositions taken from Dada Havildar, the substance of which was to the following effect, *i. e.* that Dhulleeya had, through Dada Havildar, disposed of his son for 100 rupees for Joitabaee Settannee; and after this had been done, these three persons were sent back, and placed in confinement; and after this the Baba caused it to be rumoured about that Bhannabhaee nad answered the Meetapoor people that the boy he had procured from them had died, and that, consequently, for what reason should he give them any money; and that the boy then with him was the son of a Tullaveeya of Amleeyara, and whom he had procured. It would appear that the Amleeyara village, being under his control, the Baba got Dhulleeya and the others to be at once apprehended and brought, and by force placed in confinement, and unauthorizedly took their depositions at his own house, and made out the son of Joitabhaee Settannee as the son of a kollie, and by doing so, caused the respectability of the Settannee and Bhannabhaee to be scandalized and much disgraced.

20. It would further appear, that after this, Baba one day desired the Gomashta Bhugwan Buwanneedass to go and fetch the son of Joitabaee Setannee away from the house of his mother's parents, and to place Bhannabhaee, his wife Landbae, and any other parties he might find there, in confinement, and to place a guard over them, and to take with him as many seepahees as he might consider necessary for the accomplishment of this affair. Then in the month of Chytur Sood (March), one day about noon, Bhugwan, accompanied with Jemadars Seetaram and Munsoor, went to the house of Bhannabhaee; that upon their arrival they found the door shut, whereupon they called Landbaee to the window, and a Bhugwan informed her that he had a message from Joitabaee Settanee to deliver to her privately; that Landbaee, believing what he said, opened the door, when Bhugwan and his colleagues rushed into the house; that in the meantime the jemadars seepahees having also arrived, they also rushed in, and went up-stairs, and commenced securing Bhannabhaee and the others, when the wetnurse, Kooshallee, taking the child with her, sought refuge in one of the rooms; that Bhannabhaee locked the door of the said room, on

---

Depositions taken at the Durbar:—45. Neerbaram Bhatteeya, 63; 46. Bhugwan Buwaneedass, 101; 47. Dada Mirza, 71; 48. Nurrotum Narrian, 77; 49. Ryejee Bhachur, 76; 50. Seetaram Gopal, 80; 51. Ghunga woman, 79; 52. Bhugwan Bhowanneedass; 53. Dhulleeya Bhanno, 74; 54. Dhoodee woman, 75.

Depositions taken at the Second Punchayet:—55. Bhugwan Buwanneedass, 104.

on which they placed a guard at the door of the room, and surrounded Bhannabhaee and his mother Amba, and that Bhannabhaee's wife, Landbaee, was escaping when Bhugwan seized and detained her.

21. This scene took place within the house; and, owing to the noise and uproar which took place, a mob of about 500 or 700 individuals collected about the door of Bhannabhaee's house, and the neighbours flocked into the house; and the ire of the mob being raised upon witnessing such oppression, they commenced pelting stones upon the aggressors; in the meantime Landbaee, availing herself of a favourable opportunity, made her escape from the house, and directly proceeded to the palace of the Gaekwar Sirkar.

22. After this, it appears that Bhugwan placed sentinels upon Bhannahaee and the others, and returned to the Baba, and informed him of what had transpired; whereupon the Baba proceeded to the Sirkar Nadá, and in the evening returned to the firm, and about a pore or a pore and a half after nightfall, between 9 and 11 o'clock, p.m., he desired Bhugwan to continue Bhannabhaee and the rest in confinement, but to bring away the child and his nurse; consequently, Bhugwan and the others returned to the house of Bhannabhaee, and was endeavouring to get the child out of the room, when Bhannabhaee protested against such oppression, and gave him the duwahee of both the Guicowar and the Company Sirkar, and prevented him; whereupon Bhugwan dispatched Seetaram Jemadar to apprise the Baba of the same; the Jemadar returned, and informed Bhugwan that the Baba had ordered that no attention should be paid to the dewahee of the Sirkars, and to bring away the child and his nurse, whereupon the blacksmith of the firm, named Atmaram, was called, and he was made to break open the locks, and the wetnurse, Kooshallee, with the child, were taken out, and Bhannabhaee and the others were placed in confinement in the house, and the house was shut up, and seepahees placed as guards, and the child and his nurse were conveyed to the Baba by Bhugwan and the others, and the same night the child and the nurse were located in the outer room of the "Jamdar Khanna" of the "Mundeer," and placed under surveillance: thus does the Baba appear to have oppressed Bhannabhaee and the others very unmercifully, and to have caused the infant to be captured, carried away, separated from its mother, and placed in confinement, without feeling the least pity. According to the Shastres, the Baba thus committed a very great and sinful crime.

23. It further appears, that one Baba totared the woman Phunnee, the female in attendance upon the Settanee and Dada Havildar, the former Phunnee, to stand upon the stairs leading to the apartments of Joitabaee Settanee, whilst Dada and Baba stood at the foot of the same stairs, when Phunnee asked Dada from whom he had procured the child; when, according as he had been tutored by Baba, Dada replied that he had brought the son of a Tullaveeya, of Amleeyara. From this it would appear that what Dada had said as above, the Baba wished to make it appear that Joutabaee Settannee had heard, and that Joutabaee had mentioned the subject about the boy to Phunnee, and that thereupon Phunnee had interrogated Dada; but it is evident that Joutabaee had done nothing of the kind, she being at the time in confinement, and further, in deep distress about the ill-usage of her own son.

24. After the above, on Chytur Sood 5th, Sumvut 1903 (21 March 1847), he, the Baba, appears to have forged a deed in the name of the Sirkar, at the Sett's house, purporting to have been passed by Joutabaee Settannee, soliciting forgiveness, and Bhugwan Buwanneedass wrote this deed out, and Dessaee Dyashunkur signed the name of Joutabaee Settannee thereto. In this deed it is stated that the child had been procured through the instrumentality of Dadabhaee Havildar, and that the boy should be restored to his parents, whom Dadabhaee Havildar should be called upon to point out, after the Sirkar had been made acquainted with the same; and besides this, another leckh the Baba caused to be made out in the name of Phurshotum Bhachurbhaee, purporting to be passed to Bhannabhaee, the father of Jouthabaee, securing to him an annual stipend of 200 rupees: this leckh also was written by Bhugwan, and signed by the Baba, but it has not been seized. These two forgeries the Baba seems to have caused to be made with the view of proving the charge he had made against the Settannee, and of paying off her father, Bhannabhaee.

25. It appears that on the night of the above Chytur Sood 5th, S. 1903 (21 March 1847), the said Baba, Bhugwan Buwannedass, Dada Havildar, Jemadar Seetaram, and Vasounath Vunmallee Sonee (goldsmith, &c.), being together, they took the child with his nurse from where they had been placed in confinement, to the garden where Tullaveeyas Dhulleeya and the others were in confinement, and that, agreeably to the Baba's order, the above-named goldsmith stripped the child of his ornaments, upon which a turban a-piece were presented to the two tullaveeyas, and the woman received two rupees, and Dhulleeya was informed that the 100 rupees which had been given to him would not be required to be returned, but placed to the account of charities; and after this the child was being taken from the arms of the wetnurse Kooshallee by the Baba, when it commenced weeping; but notwithstanding the infant's cries, he forcibly snatched the child from his nurse, and delivered him up to the wife of Tullaveeya Dhulleeya, named Dhoodee, and, after doing so, he directed some Arabs to escort the parties with the child to the village of Amleeyara, and return; and for the maintenance of the child, the Baba delivered letters to the address of Mehta Hurjeewun Ghowtumram, at Amleeyara, after which Dhulleeya and the others took the child, and departed to Amleeyara. Thus the Baba would appear to have caused the

defilement

defilement of an infant of a high caste Banian, by making him over to the charge of a low caste Kollee, and converted the said infant, and caused his expulsion from his caste; and he intimidated the Kollees of the Amleeyara village, which was under his control, and against the will of the party in whose charge the child was at the time the Baba forced the child away, and made him over to the care of the above Kollees; and the said Baba was deaf to the cries of this infant, and showed no mercy towards him; and by such acts he may be said to have caused the death of the said child, and outraged the feelings of the child's mother, Joutabaee, most cruelly: these acts, according to the Shasturs, are considered of the deepest dye; and when this child, being considered as the son of a Kollee, was returned to the Kollee, there existed no necessity for providing for the future expenses of the child; but since arrangements were made for the child's future maintenance, the conclusion forces itself upon one's mind that this was the *bonâ fide* son of Joutabaee.

26. After the child had been conveyed to Amleeyara, the Settannee Joutabaee was informed of it by woman Ghunga, and upon Joutabaee hearing of it, she commenced weeping very much, and beat her breast most severely, and appeared to be labouring under great affliction, and abused the Baba much. From the above circumstances, it is evident that the sorrow evinced by Joutabaee on the occasion was such as only a mother deprived of her only child could feel, and consequent upon the Settannee's elevated and wealthy station in life, she must have felt such sorrows the more; and no doubt obtains that the Settannee's own child had been brutally forced away from her.

27. Dhulleeya and the others proceeded with the child to the Amleeyara village "Grain Yard," when Hurjeevum Mehta and the Patels took security from Dhulleeya and Jhoreeya that they should live with the child in the village; and after they had furnished such security, they were permitted to take the child, and go to their homes.

28. The child having remained at the house of Dhulleeya three or four days, commenced crying, and appeared uncomfortable, and much oppressed with the heat, and this the village patel communicated to Bhugwan Buwanneedass; and Bhugwan having made the same known to the Baba, thereupon the patel was ordered to look out for a more comfortable house for the child's residence, and thereupon the child was removed to the large vacant house of Patel Khandass, and the woman Dhoodee was made to remain with the child, and a guard of four Arabs placed over the said house. From this it would appear that the Baba having defiled the infant, had given him over to the Kollees, but subsequently he further oppressed the child by having him placed in confinement.

29. In such confinement the child continued for about two months, and afterwards in Jaist Sood 2d, S. 1903 (16 May or 14 June 1847), he died of cholera; and even after the death of the child the corpse was detained for a time before being permitted to be disposed of. From the above, it appears that the Baba not only perpetrated the crimes above detailed, but that he subsequently also murdered this child.

30. From the depositions noted in the margin,* it would appear that an infant male child, aged about 18 months, used to walk about and speak, and that the child's handsome appearance indicated him to have been the son of respectable parents, and not the son of Kollees. From this it is evident that the very child accouched by Joutabaee Settannee had prematurely died in confinement at the house of the Amleeyara Patel Sundries.

* *See below.*

31. From the depositions of the Amleeyara Kollees, &c., it would appear that the spot where the corpse of the child had been buried by the orders of the Gaekwar Sirkar, Trimbuck Shastree and Bappoo Shastree had caused to be excavated, and the body exhumed and examined; but the appearance of this corpse, or the verdict of the above-named parties, does not appear upon the face of the proceedings conducted by the recent punchayet.

32. The Baba, in the first instance, stigmatised the son of Joutabaee Settannee as supposititious, and the son of a Kollee of Meetapoor. Such being the case, he subsequently made the boy out as the son of a Kollee of Amleeyara. His views would appear to have been, that as the Meetapoor village was under the jurisdiction of the Company's Government, if the Kollee belonging to the above village should disclose the intrigues which had been concocted by the Baba, he would not be able to meet or screen himself from punishment; but that, as the Amleeyara village was under his own control, from the authority he possessed over them, the said village Kollees would stand in awe of him, and not dare to mention the circumstance to anybody.

33. On the occasion of Joutabaee's son taking the small-pox, Joutabaee and others had taken the child for the purpose of being prostrated before the idol at "Pore Vurna," the Baba caused it to be rumoured about that Joutabaee had procured the son of a Kollee of Meetapoor; and this appears from the deposition of Bhanabhaee, No. 82, taken at the first punchayet.

34. From the petition presented at the Residency by Lulloo Bhugwan Bhyejee Ghrilla and Bhugwan Bawaneedass, it would appear that these three parties had been placed in confinement

* *Depositions taken at the Residency*:—Ghunga woman, No. 65; Dhoodeethe, wife of Dhulleeya, 58; Hurjeevun Ghowtumram, 63; Nurrotum Narrain, 62; Rhyejee Buchur, 161.

confinement by the Baba at the firm of Hurree Bhucktee, and that they were subsequently, at the instigation of the Baba, confined at the Guickwar Sirkar's Chubbootra; consequently the conclusion is come to that these parties were goomastas to the firm, and consequently that they were cognizant of the plot which had been concocted regarding the son of Joutabaee Settannee, and they were placed in confinement to prevent their divulging their knowledge regarding the nefarious plot in question.

35. A mob having collected about the door of Bhannabhaee's house, an uproar ensued, and, owing to the disturbance taking place, Landbaee escaped from the house, and proceeded direct to the Bhyan Sahib at the Sirkar's palace, and complained of the atrocities which had been enacted, and the reply she received to her complaint was, "Go where you please for redress." Regarding this the same decision is arrived at: *vide* para. 13 of this report.

36. Having inspected 34 depositions of the proceedings in this case, and comparing them with several depositions taken at the Residency, various subterfuges and intrigues appear to exist in them. A separate memorandum of the particulars of such is appended to this report; and these subterfuges would appear to have been resorted to for the purpose of removing the onus of the above atrocities from the Baba, and screening him from the punishment his crimes had laid him open to receive; notwithstanding which, however, it has not been established that the son of Joutabaee had been procured from a Kollee. From amongst these depositions, the three belonging to Baba Nafra, respectively numbered 93, 100 and 102, have been tampered with, and upon them some other party would appear to have forged the Baba's signature; consequently it would appear that the Baba, the Guickwar Sirkar's Kamdars, and the members of the punchayet, were colleagued together; and for this reason any measures which may have been resorted to by the above parties for the purpose of screening the Baba, and which they may hereafter adopt, the Baba will approve of, and place reliance upon, and there exists no doubt whatever of his doing so.

* *See* below.
† *S. O.*

37. From the deposition noted in the margin,* it would appear that the Baba had made of the true and genuine son of Joitabaee Settannee as spurious and supposititious; † and having resorted to various subterfuges, intrigues and conspiracies to realise his evil and nefarious machinations, expended lacs of rupees; and the aforesaid Baba squandered away in an improper manner the enormous sum of *Rs.* 4,56,988. 15., and which forms the subject of a separate charge against the said Baba.

38. This case, 1st. Bhaskur Row Wittul; 2d. Bheemashunkur Ghungadhur Mootallick; 3d. Narrain Row Mahadoo; 4th. Gopal Row Myral; and, 5th. Chooneelall Lulloobhaee, had investigated, and on Assoo Sood 11th, St. 1907, they submitted their summary, and in which the evidence of the seven witnesses noted in the margin § are taken, and the subjoined conclusions noted regarding their evidence; *i. e.* from the evidence of these seven witnesses it would appear that the Settannee Joitabaee had been enceinte, that she had been accouched of a son, and that the infant's umbilical cord had "been separated, and that the infant had suckled; but the deponent, No. 89, being the mother of Joitebaee, no reliance has been placed upon her testimony, and Rhawa woman, No. 85, states, that the parturition of Joitabaee took place on a moonlight night, and on Magsur Vud 8th, consequently this deponent's statement cannot be relied upon, and deponent No. 90, Mahakoovur, being a relative of Joitebaee's, consequently her deposition also cannot be relied upon; but the Ghunga woman, No. 83, and woman Kooshallee, No. 84, who had been engaged as wet-nurses to the child, we place confidence upon; but the witnesses produced on the part of the Baba, *i. e.* Moteeram Vyde, Treeboun Jhossee, and woman Phunnee's depositions appear weighty, and further, in the will made out by the deceased Sett, no mention is made about the Settannee Joitebaee being enceinte; taking, therefore, these circumstances into consideration, the confidence otherwise placed upon the veracity of the above two parties is shaken, and consequently it appears doubtful to us whether the Settannee Joitebaee had actually been accouched or otherwise, and as a long time has intervened, it is difficult at the present time to determine this point, and consequently preposterous, and further the child would appear to have died of cholera, consequently any further inquiry into this matter would be vain." The opinion, as above expressed by the Punchayet, is entirely false, for the reasons given as under, viz. when the parturition of females takes place, generally the mother of the female so circumstanced is the chief person present; consequently, in accordance with the usage of the world and this country, the testimony of Landbaee, the mother of the Settanee, is such as to be implicitly relied upon, and the other deponent, Rhawa woman's statement about the parturition of the Settanee taking place upon a moonlight night, is true, because at midnight of Vud 8th it was moonlight; therefore her evidence is true; and further, Maha Koom being a relative, it is usual at the time of parturitions, &c. for such relatives to be near and present; and, in accordance with the usage of the world and this country, this deponent's evidence entitles

---

* *Depositions taken at the Residency*:—1 & 2. ‡ Lulloo Bhugwan, Bhugwan Buwaneedas, and Bhyejee Ghaillah; 3. Wujjoobhaee Vancheedas; 4. Dada Havildar; 5. Peetambur Sewlall; 6. Bhugwan Buwanneedass, 71; and 7. Dada Meya Havildar, 57.

§ *Depositions taken at the second Punch*:—1. Rhawa woman, No. 85; 2. Mhuncha woman, 86 & 91; 3. Landbaee at Residency, 89; 4. Maha Koovur, 90; 5. Ghunga woman, 83; 6. Kooshallee woman, 84; 7. Bharber Bachur, for his wife, 87.

entitles itself to every reliance and confidence, and consequently her evidence is very weighty; and the evidence of woman Ghunga and Kooshallee is stated to be rendered doubtful from the counter evidence of the three witnesses produced on the part of the Baba; but it would appear that the whole of the above three parties are dependent upon the Baba for their livelihood, and consequently open to be influenced by him as to the nature of their evidence in this matter; and as for the other witness, Phunnee, she appears to be a low person, and filling the office of a slave girl; therefore for the evidence of these parties to be designated as weighty is obviously absurd and ridiculous, and it is equally obvious that these parties' evidence is false; and as for the will, the Baba had prepared it during the Sett's illness, and at a time when his mental faculties would appear to have been in not the most perfect state; and therefore, for the above reasons, the evidence of Ghunga and Kooshall would appear to be strictly straightforward and veracious. Thus, the conclusion on the above point arrived at by the Punchayet appears to be injudicious and false; and further, in addition to the above, upon taking into consideration the substance of the whole of the evidence adduced in this case, the conclusion arrived at is, that the Baba, by the preparation of spurious and fictitious documents, &c., had barbarously imprisoned and oppressed this infant, and owing to which the said infant had met with a premature death, and consequently it was necessary that this great and monstrous atrocity should have been inquired into and duly investigated, which, however, does not appear to have been done; but, instead, it would appear that the depositions in the case taken before them had been tampered with and corrupted.

39. The members of the First Punchayet, Meersurfraz Ali, Trimbuck Shastree, Bappoo Shastree, and Gopal Row Myral had investigated this case in the first instance, and upon inspecting the depositions taken before this Punchayet, it would appear that circumstances of a weighty nature, which should have been inquired into by them, they permitted to pass unnoticed, and the depositions taken before them had been tampered with and corrupted.

40. From the depositions noticed in the margin,* it would appear that the Durbar's Kamdars, Annakeeba and Shumbooram, intimidated the deponents, and caused them to depose as they the said Kamdars pleased.

41. At the Gaekwar Sirkar's Durbar the depositions of certain parties had been taken, and, upon inspecting such depositions, it would appear that circumstances of a weighty nature both the Punchayets had failed to inquire into and investigate, and it was incumbent upon them to have, by cross-examination, &c., elucidated many doubtful circumstances, which, however, they have failed to do; and the members of the Punchayets, having but imperfectly discharged the duties entrusted to them, drew up and gave in a summary at variance with the true bearings of the case; this, too, the Durbar failed to take cognizance of, or of the depositions being tampered with and corrupted, or of the intimidation the Kamdars had placed the witnesses under when they were being examined.

42. At both the Punchayets, as also at the Durbar, the above adverted to unjust procedures had been practised, and the reasons for which would appear to be, that the atrocities the Baba had been guilty of were but imperfectly investigated, for the purpose of screening him from the more serious crime which he had perpetrated; and such unjust means having been resorted to, it leads to the suspicion that the members of the Punchayet and the Durbarree Khamdars had been corrupted and bribed.

43. In this case it appears that the parties whose names are noted in the margin† are guilty of the crime of perjury.

† *See* below.

44. The four parties from amongst those whose names are noted appear to have been concerned in trying to falsify that the Settanee had been accouched of a son, viz., Baba Nafra, Maha Luxamee Settannee, woman Phunnee, and Jossee Treeboun; but one of them, Maha Luxamee, had made four several statements, and from the last of these statements it plainly appears that the various measures adopted by the Baba with reference to the son of Joutabaee Setannee he did it upon his own responsibility, and without the sanction or concurrence of Maha Luxamee Settannee; and, upon taking the whole of the particulars into consideration, it would appear that the said Maha Luxamee Settannee might have at first been pleased that the child should have been made out as spurious. Baba Nafra has given various and different versions of these particulars, and

---

* *Depositions taken at the Residency:*—1. Havildar Dada; 2. Bhugwan Buwannee, No. 71; 3. Lulloo Bhugwan.

† *Deposition taken at Home:*—1. Woman Phunnee, No. 75.

Depositions taken at the Durbar:—2. Maha Luxamee Settannee; 3. Maha Luxamee Settannee; 4. Weyjoobhaee Vanchedass; 5. Maha Luxamee Settannee; 6. Baba Nafra, No. 100; 7. Phunnee woman, 78.

Depositions taken at the First Punch:—8. Phunnee woman, No. 48; 9. Maha Luxamee Settannee, 94; 10. Baba Nafra, 93; 11. Moteeram Vyud, 97; 12. Treeboun Jhossee, 98.

Depositions taken at Second Punch:—13. Baba Nafra, No. 102; 14. Maha Luxamee, 103; 15. Bhugwan Buwannee, 104.

and he deposes, that he had obtained the sanction of the Settannee, and afterwards made true inquiries, and that he from time to time had acquainted the late Maharaj with the particulars of this case, and had obtained the late Maharaj's sanction for the various measures adopted by him; but this is entirely false, because Maha Luxamee denies the same; and as for the late Maharaj having given his sanction to these measures, there obtains no proof whatever to bear this point out; and upon taking into consideration the whole of the statements made by him, they appear to be entirely false. No dependence can be placed upon the evidence of woman Phunnee, Moteram Vyud, and Treeboun Jossee, and the reasons for coming to this conclusion are detailed in the 38 para. of this report, and an additional reason is, that Mooteeram Vyud's statement to the effect that after he had examined the stomach of Joutabaee Settannee, he administered one-eighth of a seer of hurruck (essence) of hujwine (bishop's weed) seed, which is quite preposterous and beyond belief, because a strange man would never be allowed to touch the stomach of any female pretending to respectability, according to the usage in Hindostan; and the quantity of the essence of hujwine stated to have been administered at one time for the trifling indisposition the Settanee Joutabaee at the time appears to be labouring under, is equally ridiculous, because such a quantity is never administered at one time.

45. From the particulars detailed above in this case many sorts of crimes appear to have been committed, as described in a separate yad.

46. The result of the above inquiries is, that great villanies were perpetrated, and the wealth and character of a very rich man scandalized, merely to establish that Joutabaee's son was the son of a Kollee.

(signed) *Navnurdraee Gunvuchram.*

Baroda, 17 February 1851.

TRANSLATE of a Memorandum drawn up in the case of Joutabaee the younger, Settanee's infant son, who had been pronounced spurious, degraded by being forced into the Kollee caste, forcibly kept in confinement, and consequent upon the oppressiveness of such confinement, met with his death.

The several depositions which had been taken at the investigation of this case before the Punchayet nominated by the Gaekwar Sirkar, at the Durbar, and at the Residency, having been inspected, those which have been tampered with are noticed, as under.

1. The Depositions tampered with, of those which had been taken by Baba Nafra at his own house.

No. 75. The deposition of Phunnee woman, made before Baba Nafra, dated Chytur Sood 7th, S. 1903 (3 April 1846), which had been suppressed in the summary of the Punchayet. This deposition is contained on two bunds; the paper of the first bund of this deposition, however, is white, but of the other bund dirty; and from this circumstance suspicion arises that either the first or second bund of such deposition had been changed.

2. The Depositions tampered with of those taken before the first Punchayet.

No. 82. Bhannabhaee Khandass' deposition, dated Kartic Sood 13th, Vud 1st and 2d, S. 1904 (26 March and 1 and 2 April 1847), contained on 14 bunds. In this deposition, between the 12th and 13th bunds a piece of paper, about four fingers' width, appears to have been patched, and in this deposition the total number of signatures is four, and the two first of such signatures are of one description, and the two next signatures of a different description; and the letters of the last two signatures, and their description, upon being compared with the signatures of the same parties obtaining upon their several depositions taken on the 9th January 1851, they appear to have been forged; and some of the letters in these signatures, though written in Goozerattee, have the turn of Mahrattee characters; and further, on the back of this deposition, where the several bunds have been glued together, in the first six of such places double lines have been traced; whereas in the next six places, where the bunds have been joined as a precaution, the name of Bhannabaee has been written across the joining of the bunds; but at the two last joinings no marks whatever have been made. From this circumstance, as also upon taking into consideration the appearance of the written characters on each of the bunds, it would appear that to the original deposition new statements had been subsequently written and patched.

No. 81. The deposition of Settanee Joutabaee is contained on six bunds, and dated Kartick Sood 14th and Vud 1st, S. 1904 (21 and 24 November 1847). In this deposition, bunds 2, 4, and 5, are all clean, and of the same description; and the writing also appears to have been written at one and the same time; whereas the other bunds are different.

No. 93. The deposition of Baba Nafra, dated Kartick Vud 7th and Magsur Sood 2d, S. 1904 (29 November and 9 December 1847), is contained in 16 bunds, of which bunds 1 to 4 are cleanish; and bunds 10, 11, 12, 13, 14, and 15, are clean and narrow; these are the clean bunds. Whereas bunds 5, 6, 7, 8, 9, and 16, are dirty, and of which the paper of bund 5 is very short indeed, and the writing of the last line plainly exhibits that the original letters had been erased; and in the sixth and last bund the signature of Wamanrow obtains in Mahratta characters. In his deposition taken at the Durbar,

No. 100,

No. 100, proof of his true signature is shown, and, upon being compared with this signature, they do not agree; further, the 16th bund is dirty; and upon inspecting the paper of the last bund and that of the preceding 14 bunds, it would appear that this last bund had been separated from the original deposition, and the other bunds joined thereto.

No. 13. The deposition of Bharrote Phurtaub, dated Magsursood 1st, S. 1904 (8 December 1847), is contained in five bunds. In this deposition the third bund would appear to have recently been substituted, and the writing thereof also, upon being inspected also appears as of recent date.

No. 94. The deposition of the elder Settanee, Maha Luxameebaee, dated Magsur Sood 3d and 4th, S. 1904 (10 and 11 December 1847), is contained in 11 bunds, of which the writing of the third bund appears to be different, and upon being joined to the second bund a portion of the writing has been glued in and hid; this appears quite plain; and at the foot of this third bund the signature of Maha Luxameebaee is written by Wujjoobhaee, and in the same manner the signature obtains in the last bund in the writing of Wujjoobhaee; but upon comparing the signatures, that obtaining upon the third bund appears to be different from the other.

No. 83. The deposition of the wet-nurse, Ghanga, dated Magsur Sood 1st, S. 1904, (8 December 1847), is contained upon four bunds, of which bunds the fourth appears to be clean and new, and the writing thereof also appears to be of recent date. This deposition had been taken upon oath.

No. 56. The deposition of Nurbaram Bhatteeya, dated Posh Sood 14th, S. 1904 (19 January 1848), is contained upon three bunds, of which bunds the third and last bund is clean, and the writing also different. This deposition had been taken upon oath.

No. 41. To the deposition of Dhulleeya Bhanna, dated Bhadurwa Sood 10th, 12th, and 15th, S. 1904 (8, 10 and 13 September 1848), an additional deposition contained upon one and a quarter bunds, dated Assoo Sood 10th, S. 1904 (7 October 1848), is added; and on the last line of such additional deposition, and the line on the reverse side and the rim, being inspected, it would appear that a portion of the last bund had been cut and taken away, and the deposition concluded with a single line on the reverse side of the said bund. This deposition had been taken upon oath.

No. 50. The deposition of Eshwur Vunnarsee, of Amleeyara, dated Bhadurwa Sood 13th, S. 1904 (11 September 1848), taken upon oath, is contained upon three bunds, of which the paper of the two first bunds are small, and that of the third bund clean, and appears to have been recently added, and the writing also thereof appears to be as of recent date; and upon this there are three signatures, of which the writing of the first signature appears to be quite different from the others.

No. 45. The deposition of Nurrotum Narrain, of Amleeyara, dated Bhadurwa Sood 13th, S. 1904 (11 September 1848), taken upon oath, is contained in two bunds, and of which the first bund is clean, and appears to have been recently added, and the writing also appears to be fresh, and the deposition contains two signatures, and of which signatures the writing of the signature on the clean bund is not that of Nurrotum, because this individual had subsequently given evidence on the 16th July 1850, and upon this deposition he wrote his signature, with which, upon it being compared, the forgery appears quite evident.

No. 48. The deposition of Bhunnee woman, dated Bhaderwa Vud 6th, S. 1904 (18 September 1848), taken upon oath, is contained in six bunds, of which the third bund appears new, and the rest preceding and following it are dirty; from which circumstance it would appear that the original third bund had been taken out, and the present one substituted; and further, the writing of the bund, too, appears to be fresh; and at the foot of deposition No. 75, this woman's mark obtains, and which mark does not agree with her mark upon this deposition; but this difference is not sufficiently weighty to be taken into consideration, for this reason, *i. e.* because females are ignorant of writing or signing.

No. 49. The deposition of Bhugwan Buwanee, dated Bhaderwa Vud 13th, S. 1904 (25 September 1848), taken upon oath, is contained upon four bunds, and of which the last bund is clean and white; and further, the writing also thereupon appears to be different, from which it would appear that this last bund had been newly prepared; and the third bund is dirty, and the writing thereon appears to have been written with a different pen.

No. 48. The deposition of Josee Treeboun, dated Bhadurwa Vud 13th, S. 1904 (25 September 1848), taken upon oath, is contained upon two bunds, and from which the second bund would appear to be new and recently substituted; and further, it is clean, and the writing thereupon also is fresh, and the signature, which obtains in the Sandscript characters, of this individual obtains separately, and upon the signature upon this deposition being compared with it, it appears to be quite different, and it appears to be a forgery, and this signature appears to have been written as if the person writing it had traced the characters with a broken pen, or a trembling hand, or a person ignorant of writing Sandscript.

The depositions of Dhulleeya Bhauna, No. 41, Dada Meya Havildar, No. 40, Jhoreeys, No. 42, Bhunnee woman, No. 44, Bheeka Hunee, No. 46, Bhoodur Bhanna, No. 47, and Hurjeewun Ghowtum Ram, No. 51. In these several depositions the original dates would appear to have been erased, and others substituted; this conclusion is arrived at by inspecting the depositions in question. Nos. 41, 40, 42, 44, 46, 47, and 51.

3. Of the Depositions taken at the Durbar.

No. 78. The deposition of woman Bhunnee, dated Bhadurwa Sood 2d, S. 1905 (20 August 1849), taken upon oath, is contained upon eight bunds, and from which the fifth bund appears to be new, and the bunds preceding and following it are dirty, and the new paper is quite apparent; and it would appear that the original bund had been taken out, and a new one substituted; and further, in this deposition it is written, "Bhadurwa Sood 2d, S. 1905, Saturday;" but upon taking this into consideration, it appears that Bhadurwa Sood 2d, Saturday occurred in S. 1903, and not in S. 1905.

No. 23. The deposition of Amersing Hurrebhaee, of Metapoor, dated Shrawun Sood 9th and 13th, S. 1906 (16 and 20 August 1850), is contained upon eight bunds, and from which the seventh bund is clean, and appears to be new; and in this deposition Amersing's signature obtains twice; but these signatures do not agree with Amersing's usual signature, and consequently, upon comparing them, these signatures appear to be forgeries.

No. 24. The deposition of Bhungjee Bheeka, dated Shrawun Sood 9th and 13th, S. 1906 (16 and 20 August 1850), is contained upon seven bunds, from which the paper of the sixth and seventh bunds are clean, and would appear to be new; and the letters of the signatures obtaining at the two joinings of this bund, upon the reverse side, are quite different from the letters obtaining upon the joinings of the other bunds, and one of the letters had gone out in the cuttings; consequently, from this circumstance, it is evident that this bund had been newly prepared and substituted.

No. 25. The deposition of Ghumman Mhowsing, of Jhussapoor, dated Shrawun Sood 10th and 13th, S. 1906 (17 and 20 August 1850), is contained upon four bunds, and upon which both the signatures of this individual are stated to be in the handwriting of Rhungjee Bhuka; but upon comparing the writing of these signatures with Rhungjee's writing upon other places, they do not appear to agree, and, further, this Rhungjee distinctly denies his having written the signatures in question; thereupon it is evident that the whole of the depositions are false, and the signatures two forgeries.

No. 26. The deposition of Jheetsing Jhallumsing, of Jhussapoor, dated Shrawun Sood 10th and 13th, S. 1096, 17th and 20th August 1850, is contained on six bunds, and from which the paper of the last bund is clean and of a different description, and the writing also appears to be different; and further, the last signature thereupon is stated to be in the handwriting of Rhungjee; but upon comparing it with the second signature obtaining in the bund preceding it, they appear to be different; and still further, this Rhungjee distinctly states that this signature is not in his handwriting, and for these reasons it is evident that the last bund had been newly prepared and substituted, and the signature also is a forgery.

No. 27. The deposition of Jhabbaee Hurrebhaee, of Meetapoor, dated Shrawun Sood 10th and 13th, S. 1906 (17 and 20 August 1850), is contained in three bunds; the last third bund of which appears to have been newly substituted in the place of the original bund; and further, on the reverse of this bund, at the joinings, there obtains no marks, and this third bund contains the questions put by the Baba, and the answers received
* *S. O.* thereto. Consequently, the suspicion is performed, beyond any doubt, that this paper had been subsequently prepared, and substituted in the place of the original bund of the deposition.

No. 28. The deposition of Lulloo Bhugwan, dated Shrawun Sood 11th and 13th, S. 1906 (18 and 20 August 1850), is contained on ten bunds, of which the ninth bund appears new and clean, and the writing also upon this bund appears to be of recent date, and written with a different pen.

No. 100. The deposition of Baba Nafra, dated Shrawun Sood 11th, and Vud 30th, S. 1906 (18 August and 6 September 1850), is contained in 25 bunds, on which, under the last line of the eighth bund, the signature of Wancou Row in Maharatta obtains, as also at the end of the 25th bund; but the writing of both signatures differs from each other, and the letters thereof are also unequal. Moreover, in a separate proceeding, on the 14th Oct. 1850, on the deposition taken before the Resident, this individual attaches his signature in Maharatta; and upon the above signatures being compared therewith, that on the eighth bund is found to agree with this latter signature, but the signature on the 25th bund is found to be entirely different, consequently this signature appears to have been forged; and upon the reverse side of this deposition, at the joining of the bunds, many true signatures in Maharatta obtain, but the first seven signatures thereupon are in the Goozerattee character, and appear to have been written by a Maharatta writer, who may have learnt Goozerattee. Moreover, of the 25 bunds of this deposition, from the first to the eighth, and the 10th, 13th, 15th and 18th, 20th, and 23d and 25th, thus in all 19 bunds, are dirty, but more or less so; and the clean bunds are the 9th, 11th, 12th, 14th, 19th, and 24th; thus in all there are six clean bunds which appear to have been recently substituted. Moreover, the 12th bund appears to have been torn and patched on to the 13th bund, and, upon inspecting the edge of this joining, the letters written thereon appear to have been taken out with the part torn out; and in the same manner a part of the 23d bund appears to have been cut out, and patched upon the 24th bund; and in the bund so cut out the lower portions of the letters also appear to have been cut out; but the cutting has been clumsily done, and five letters so cut appear to have been subsequently completed.

No. 76. The deposition of Patel Rhyejee Bhachur, dated Shrawun Vud 2, Saturday, S. 1906 (24th August 1850), is contained in four bunds; from which the three first bunds are clean and agree with each other, but the paper of the last bund, upon which the signature of the deponent obtains, is dirty, and the letters written on the reverse side of these bunds at the joinings, upon being inspected, appear to be forged, and substituted in lieu of the original letters, which had previously been there; from which circumstance it would appear that of the original deposition, the last bund had been retained, and to it has been added these new bunds subsequently prepared.

No. 77. The deposition of Patel Nurrotum Narrian, dated Shrawun Vud 2d, S. 1906 (24th August 1850), is contained in three bunds, of which the two first bunds appear clean, new, and spurious, and agreeing with deposition No. 45, taken at the first punchayet.

No. 74. The deposition of Tullaveeya Dhulleeya, of Amleeyara, dated Shrawun Vud 2d, S. 1906 (24th August 1850), is contained in eight bunds, among which the fourth bund appears to have been newly introduced, and the writing also appears to be fresh, and the paper of the bund also appears clean.

No. 101. The deposition of Bhugwan Buwannee, dated Bhadurwa Sood 2d, S. 1906, (8th September 1850), is contained in 12 bunds; from which bunds the 6th, 8th, 9th, 10th, and 11th appear dirty, but the remaining bunds clean; and in this deposition of Bhugwan the total number of signatures are three, of which the last signature appears to have been forged, because this individual gave in a deposition on oath at the Residency on the 6th of July 1850, and signed the same with his signature, which is genuine, but does not agree with the above noticed signature.

4. Of the Depositions taken before the Second Punchayet.

No. 102. THE Deposition of Baba Nafra, dated Bhadurwa Sood 15th, and Vud 11th, Sumvut 1907 (21st September 1850), is contained in five bunds, of which the first and fifth bunds appear dirty and similar to each other; but the three intermediate bunds are clean, and appear new; and the fourth bund is joined to the fifth bund, upon inspecting which joining several letters appear glued in and hid, and in this deposition, at the end, the signature of Wamon Row obtains in his own handwriting; and taking this into consideration, it would appear that the last and first bunds of the original deposition had been retained, and thereto three new bunds had been substituted in the place of those originally obtaining. No. 1906.

According to the above, these 34 depositions would appear to have been tampered with, and in several depositions, in the places designated, new bunds appear to have been substituted, in which the various expressions introduced have been done with the view of stigmatising the son of Joitabaee as spurious, and that of exonerating Baba Nafra from blame, and screening him from punishment; this would appear to have been the main object in view in tampering with the several depositions above noticed. Besides which, the three subjoined written leckhs appear to be entirely spurious, as explained beneath; viz.

No. 35. Regarding the leckh said to have been passed by Joitabaee, in the name of the Sirkar, directing the return of the boy to the Amleeyara people, and signed for her by Dyashunkur Desaye, and dated Chytur Sood 5th, Sumvut 1903 (21st March 1847), upon taking into consideration the substance of this leckh, it would appear that a person proficient in the Maharatta language had written the leckh in Goozerattee, and the object for which it had been drafted, it should have been written in the shape of a petition, an affidavit, which would have been in accordance with the Sirkar's practice and the world's usage; but thus has it not been done, therefore no confidence can be placed in this leckh. And again, since the signature obtains in the handwriting of Dyashunkur Dasye, the deposition of this individual taken on a different occasion, and his deposition, No. 99, taken in this case, and the signatures of this individual obtaining upon a Persian deed, upon being compared with the signature upon the leckh in question, it appears to differ from them; and at the end of such signature it is written that the signature had been written after he had personally obtained the permission of the Baee to do so, but the words, "after he had personally obtained the Baee's permission to do so," it is not usual in any deeds in the world to add such at the end of the signature of the parties signing such leckhs, but it is usual to do so after the signatures of attesting witnesses to such leckh, and it was perfectly uncalled for to have done so after the signature of the party passing the leckh. And further, in every other place where this individual had signed his name, he also added thereto the name of his father, but in this leckh the name of his father has been left out; and further, he has omitted one letter; therefore no confidence can be placed upon such signature. Moreover, upon taking the formation of the letters of such signature into consideration, it would lead to the inference that a Mahratta writer had written the Goozerattee characters, consequently it is evident that this false leckh had been made out to ruin the son of Joitabaee Settanee, and that it is spurious. Leckh, No. 3, dated Magsur Vud 8th, Sumvut 1902 (22d December 1845), stated to have been granted by Joitabaee's father, Bhocktee Khandass, alias Bhannabhaee Khandass, to Kollee Ruggoonath, to the effect that the son of this Kollee had been received by him, and in lieu a stipend of 201 rupees annually settled upon the said Kollee. This leckh, Bhannabhaee and Kollee Ruggoonath, and the writer thereof, Mhunsook, and other parties, being examined, and by comparing the signature obtaining thereupon with Bhanabhaee's signature, has been found to be a forgery. No. 4, an acquittance bond, dated Chytur

Sood 6th, Sumvut (22d March 1847). This bond is stated to have been passed by Ruggoonath Nuthoo, in the handwriting of Rhungjee Bheeka, and signature of Purshotumbhaee Bhachurbhaee, to the effect that the above leckh for 201 rupees had been delivered over by him in consequence of having received the money for the same. This bond has been proved to be spurious and a forgery, from the same proofs as the foregoing leckh for 201 rupees had been proved so.

(True translation.)

(signed) *M. Battye*, Assistant Resident.

Appendix (L.)

PROCEEDINGS of a Medical Committee appointed by Brigadier Brown, C.B., commanding at Baroda, to assemble at the Residency, to investigate a subject to be submitted by the Resident.

Dr. G. M. Ogilvie, Residency Surgeon, President; Dr. J. Sanderson, 1st Regiment Light Cavalry, late officiating Residency Surgeon, Dr. W. Davey, 17th Regiment N.I., late officiating Residency Surgeon, Members; Ensign Griffith, 17th Regiment N.I., Interpreter.

Baroda Residency, 24 January 1851.

THE committee having assembled pursuant to order, are informed by the Resident that the object for which they are assembled is to determine, so far as the evidence at their disposal may enable them, whether or not Joutabaee Settannee, second widow of the late Bhachur Sammuldass, gave birth to a child on or about the 23d December 1845.

With a view to facilitate this medico-legal investigation, the Resident communicates to them, through the president, a brief narrative of the events which have necessitated it; he places at their disposal several depositions and other documents; he informs them that he will cause the attendance of any witnesses they may wish to examine, and he expresses his readiness to furnish them with any information they may require, and to lay before them any further documentary evidence in his possession which they may consider calculated to promote the solution of the question submitted to them. He further places at their disposal the services of Mr. Hycoop of the residency establishment, to officiate as their secretary and assistant interpreter.

The committee call in and proceed to examine the physician Moteeram, who they have ascertained is one of the principal witnesses adduced by those who deny that Joutabaee Settannee gave birth to a child on the 23d December 1845.

The committee at first proposed simply to take notes of the information communicated by the witnesses; but the self-contradictions, the equivocations, and generally disingenuous manner of Moteeram, induced them to discontinue this plan, and to record formally all the questions they put, and all the answers they received.

Moteeram's examination is recorded in Appendix I. (A.)

Moteeram's examination being concluded, and that witness being dismissed, the committee adjourn till the 25th January.

Baroda Residency, 25 January 1851.

THE committee having re-assembled, proceed to examine Phunnee woman, whose evidence they resolve to record as Appendix II. (A.) She is subjected to a long examination; in the course of which she painfully impresses every member of the committee with the conviction that she is an unprincipled woman, on whose statements no reliance is to be placed; she is dismissed. She is recalled, to enable her to identify and be identified by "Mhuncha" and "Mah Koovur," two intimate relations of Joutabaee. She is again dismissed, and the committee adjourn till Monday the 27th January 1851.

Baroda Residency, 27 January 1851.

THE committee having re-assembled, proceed to examine Mankovur woman, whose deposition they resolve to record in Appendix III. "Mankovur" is dismissed, and "Mhuncha" woman is called in. "Mhuncha" being examined, is dismissed; and the committee resolve to record her evidence as Appendix IV. The committee adjourn till the 28th January 1851.

Baroda Residency, 29 January 1851.

THE committee having re-assembled, proceed to examine "Laud Baee," mother of Joutabaee Settannee. Laudbaee's examination being concluded, she is dismissed, and her evidence the committee agree to record as Appendix V. Joutabaee Settannee is called in, and in consideration of her feeble state of health, and her natural repugnance to appear before the committee, her mother is recalled, and a male and female relative are likewise permitted to be present. The committee ask Joutabaee a few questions, which, with the lady's answers, they record as Appendix VI. Her interrogation being concluded, the committee intimate

to

to Joutabaee that they have learned from the Resident that she will not object to have her person examined, with the view to determine whether she bears any traces of having been a mother; they tell her that if such be her own wish, they will depute one of their number, a married man, to examine her in another room, and in presence of her female relatives.

The Settannee herself professes her entire readiness to submit to any examination by which truth may be elicited; but expresses a hope that it may be conducted with as much delicacy as possible. Her mother, however, apparently under the idea that the committee are in search of evidence against her daughter, withholds her consent. She expatiates on the degradation such an examination will inflict on her daughter in the eyes of her caste, and she dwells on its inutility, inasmuch as the five years that have elapsed since she bore her child must have effaced all signs of maternity.

The committee inform the ladies that the examination shall not proceed without their entire concurrence; but that of course the committee will draw their own inferences from the circumstance, should the Settannee refuse to submit to a test of the truthfulness of her pretensions, which she had previously expressed her readiness to undergo.

The Settannee again repeats that she has no objections, save those arising from disinclination to exhibit any part of her naked person to male European strangers, and from the social degradation to which the examination will subject her. But that since the committee regard such an examination as calculated to elicit the truth, she will forthwith submit to it. Her mother on this withdraws her opposition, and the two ladies retire to another apartment previously prepared for them, followed by Dr. Davey.

After a short absence Dr. Davey returns, and reports verbally to the committee that he has satisfied himself, by an examination of Joeetabhaee's person, that that lady has borne a child. The committee request Dr. Davey to commit this opinion to writing; he agrees to do so, and the committee resolve to record Dr. Davey's certificate as Appendix VII. The ladies return.

The grandmother of Joeetabhaee Settannee being in attendance, is called in, but the committee do not think it necessary to subject that lady to an examination.

It is evident to the committee, that in submitting to a personal examination, Joeetabhaee Settannee has made a painful sacrifice of her feelings. It appears to them she and her mother apprehend social affronts in consequence of her having submitted to such an examination. The committee therefore think it morally incumbent on them to do their utmost to mitigate the severity of the painful emotions they have awakened, by communicating to the ladies the result of Dr. Davey's examination. They therefore wait on the Resident, and solicit his permission to inform Joeetabhaee and her friends that Dr. Davey's examination has removed from their minds all doubt regarding the fact of Joeetabhaee Settannee having been a mother. The Resident grants the desired permission, and an assurance to the above-mentioned effect is communicated to the ladies. They request that the assurance may be given in writing. The Resident is referred to. He assents. The ladies' wishes are complied with; they retire.

The committee then wait on the Resident; they intimate to him that they do not require the attendance of any new witnesses, but they express a wish to have another opportunity of examining both "Moteeram" and "Phunnee." The Resident promises to have these persons summoned. The committee then receive from him answers to several questions they had before addressed to him, and are informed that more full and explicit information will be given when it is obtained from the durbar.

The committee then adjourn till the 2d February 1851.

Baroda Residency, 2 February 1851.

THE committee having re-assembled, find that by an oversight neither "Phunnee" nor "Moteeram" have been summoned. They wait on the Resident, and seek information on various subjects, and are informed by that officer that he is endeavouring to get full information on the several points regarding which they have already interrogated him, but that the process of extracting information from the durbar by means of yads is a most tedious and unsatisfactory one.

Dr. Sanderson informs the committee his further detention at Baroda will cause him much inconvenience, both personal and pecuniary, and intimates that he has the permission of the Resident to join his regiment at Nusseerabad. He assures the other members of the committee that his views are identical with their own; and he authorizes the committee, when they have completed their report, either to send it to him for signature, or to record his opinion as being coincident with their own.

The committee adjourn till February 5th.

Baroda Residency, 5 February 1851.

THE remaining members of the committee having re-assembled, they proceed to re-examine "Phunnee" woman. Her evidence they record as Appendix II. (B.) Phunnee's examination being concluded, she is dismissed.

Moteeram Vyed is called in for re-examination. His evidence is recorded in Appendix I. (B.) Moteeram's examination being concluded, he is dismissed. The committee then confer for a long time, and agree that it is advisable once more to submit Moteeram to an examination, with the view of interrogating him touching certain of the inconsistencies in his depositions already given. Moteeram having in the meantime returned to the city, they agree that this third examination shall take place on the 9th February, and adjourn till that day.

Baroda Residency, 9 February 1851.

THE committee having re-assembled, are informed by the Resident that Moteeram is reported sick and unable to attend at the residency; the committee, however, are told that if they wish to examine him at his own house, a carriage will convey them thither. The committee agree to examine Moteeram at his own house on the 11th February, and adjourn till that day.

Baroda Residency, 11 February 1851.

THE committee having re-assembled at the house of Moteeram, proceed to examine him. His evidence they record in Appendix I. (C.) Moteeram's examination is concluded. The committee then agree to adjourn till such time as the Resident can give them final answers to all their questions, and it is agreed that the president shall give notice to the other members when this is the case.

Baroda Residency, 1 March 1851.

THE committee having re-assembled, it is agreed that the information in the committee's possession is sufficient to enable them to frame their report. A rough draft is adopted; it is agreed that each member shall in succession revise that draft, and that after such revision the committee shall re-assemble, and confer on the revised draft. The committee adjourn.

Baroda Residency, 20 March 1851.

THE committee re-assemble, the indisposition of one of the members, and the professional engagements of both having prevented their meeting earlier. They confer on the revised draft, and unanimously adopt the following report.

REPORT.

1. THE Committee are unanimously of opinion that Joutabaee Settannee gave birth to a child on or about the 23d December 1845.

2. It is not pretended that the lady in question brought forth offspring at any date, either anterior or posterior to the 23d of December 1845, the date of the Settannee's alleged fictitious accouchement, and as Doctor Davey's examination of the Settannee's person has satisfied him that she has undoubtedly been a mother, the committee would be content to rest the above recorded opinion on the solitary authority of Doctor Davey's certificate, given in Appendix VII. But as by this summary disposal of the case, they might appear to evade the duty imposed upon them by the Resident, they proceed to discuss the matter in its various medico-legal aspects and relations.

3. A lady, by name Joutabaee, the wife of one of the leading bankers of Baroda, declares herself to be pregnant at, if not long prior to, the date of her husband's death. In about three months and a half after that event she proclaims herself seized with the pains of incipient labour, and in conformity with the general usage of ladies of her caste,* she expresses a wish to remove from the house of her late husband to that of her father, that her accouchement may take place under the paternal roof. This wish is communicated to the elder widow of her late husband, and to the trustee of his affairs. The former raises no objection, and the latter makes the several arrangements required for giving effect to the ladies' wishes. She proceeds to her father's house, and she is there attended by her mother, grandmother, and cousins, by two of her mother's most intimate neighbours, and by a professional midwife, the precise attendants it was natural she should have on such an occasion. It is announced that she has been delivered of a male child, and no time is lost in making known the event. The lady receives the customary visits, and presents of congratulation, and foremost amongst those who congratulate her are the trustee and confidential manager of her late husband's affairs, and her late husband's elder widow, whose own worldly position and prospects, as well as those of her son, suffer serious detriment from the advent of the newly-born infant. The usual social and religious observances are sanctioned and graced by the presence not only of the heads of the caste, but of the sovereign of the country. To the naming of the boy succeeds his betrothal to the infant daughter of a most respectable member of the caste. This ceremony is celebrated with some pomp, and with the usual concomitant of a caste dinner, at which all the leading members of the caste are present; and for the first 14 months of his life the boy continues to be regarded, by all ranks and classes of the community, as the posthumous son of his reputed parent, and as one of the heirs to his immense wealth.

* *Vide* No. 38, App. (J.) Read from his Highness the Guikwar.

4. But the lady quarrels with the manager of her late husband's affairs; she brings against him distinct accusations of fraud and misappropriation, and she petitions her sovereign to compel him to render an account of his stewardship. The manager is all powerful at court, the lady's petition is unheeded, and speedily the manager seizes both the lady and her father, locks the former up in a dark and iron-barred room in the bank, imprisons the latter in his own house, places sentries over both of them, abducts the child under a plea that it is a spurious one, and hands it over to the guardianship of some of his Arab mercenaries, in whose custody it quickly dies. In justification of his proceedings, the manager asserts that the pregnancy of Joutabaee, the reality of which he had at the time

time recognized, and her accouchement, for which he had himself made arrangements, were both fictitious. He avers, and brings forward diverse witnesses in support of his averment, that the lady purchased a child from certain kolies of the village of Meetapoor, which she passed off as her own; and that the child dying of small-pox, its place was supplied by another child, purchased from other kolies, residing in the village of Amleeyara.

5. The lady and her mother appeal to the Bombay government for protection and redress, but various circumstances arise which for long prevent that body from interposing. At length revelations are made to the Resident, which induce him to request H. H. the Gaekwur to bring the bank manager to trial on charges of conspiracy and child abduction. A native court of judicature is appointed to try him on these charges, and that court decides that the alleged purchase of a child from the Meetapoor kollies is a baseless fiction, the result of a foul conspiracy originating in the bank manager's unprincipled avarice, and sustained by the foulest forgery and perjury.

6. As the Amleeyara purchase was alleged to have been made simply to supply the vacancy caused by the death of the child purchased at Meetapoor, it would almost seem to follow, as a logical necessity, that the first alleged purchase being a fiction, the second must be a fiction also. But another view of the matter is taken by the members of the native court of judicature; that body being of opinion that the pregnancy and delivery of Joutabaee are not well established, hesitate to pronounce the alleged Amleeyara purchase a fiction.

7. The case comes before the Resident in review, and by that officer the committee are charged with the determination of the medico-legal question: "Was, or was not Joutabaee Settanee delivered of a son on or about the 22d December 1845?"

8. The circumstances detailed in paragraph third afford strong presumptions in favour of her having been so delivered, and the *onus probandi* rests exclusively on those who deny that she was. The arguments adduced by those who contend that her pregnancy and delivery were fictitious, are as follows:

1st. That Joutabaee Settanee's husband, the late Bhachur Sammuldass, had been in a state of health which unfitted him for begetting progeny for such a length of time, as rendered it impossible that he could have impregnated his wife during the last six months of his life.

2d. That the said Bhachur Sammuldass made a last will and testament on the 4th August 1845, the provisions of which show that he had then no expectation that his wife Joutabaee would bear him a child, and that a few days subsequent to the execution of that deed he placed the son of his elder wife on the lap of Joutabaee, thereby symbolically reiterating his belief that by the latter lady he would have no issue.

3d. That Moteram, a physician of great local celebrity, who prescribed for Joutabaee on the day of her husband's death, did not consider her to be pregnant.

4th. That the elder widow, Mahaluxmeebaee Settannee, who, from living in the same apartment as Joutabaee, could not fail to be cognizant of her condition, did not believe her to be pregnant.

5th. That influenced by this disbelief, she sent the above-mentioned Moteram and a man named Treeboun Jhossee to remonstrate with Joutabaee, who confessed that she was not pregnant.

6th. That certain religious ceremonies practised by, or in behalf of Hindoo ladies at the fifth and seventh months of pregnancy were not practised by or in behalf of Joutabaee.

7th. That the evidence of a woman, Phunnee, the personal attendant of Joutabaee, confirms the belief that the latter was not pregnant.

8th. That the further evidence of Phunnee, who was in the house at the time of the alleged accouchement of Joutabaee, proves that the usual phenomena of a lying-in chamber were absent in that of Joutabaee, and that the child, of which that lady professed to have been delivered, did not present the appearance of a newly-born child.

9th. That Joutabaee herself gave a written declaration to Baba Nafra, the trustee and manager of the affairs of her late husband, to the effect that her pregnancy and delivery had been fictitious.

9. Into the foregoing catalogue the committee think that they have introduced every argument against the reality of Joutabaee's pregnancy and delivery advanced either by the court appointed to try Baba Nafra, or by the various witnesses adduced against Joutabaee, either at the durbar or the residency; and these arguments the committee proceed to notice seriatim.

10. The first is that founded on the alleged impotency of Bachur Sammuldass, for at least six months prior to his death.

11. Were the alleged fact true, it would in no way affect the question before the committee, unless the double assumption be made that Joutabaee had neither inclination nor opportunity for adulterous intercourse during her husband's life, and such an assumption the committee regard as quite inadmissible when the nature of the charges brought against

the lady in question is considered. It appears to them absurd to assume that a woman so totally lost to all sense of virtue and modesty as to be capable of enacting a fictitious pregnancy and delivery would have hesitated to do that which would have insured for her a genuine impregnation; and it further appears to them, that a woman who could, after her husband's death, successfully carry out a fraud which all writers upon medical jurisprudence affirm can only be successfully carried out by means of a widely ramifying collusion, and by the confederacy of all around, the perpetrator must, during her husband's life, have enjoyed sufficient opportunities for criminal sexual intercourse had she desired it; at one time indeed, it almost appears from a deposition in the possession of the Resident, which was suppressed by the native court of judicature, that the enemies of Joutabaee contemplated disinheriting her son on the plea of illegitimacy rather than on the ground of his being a spurious child. The question before the committee is not whether a child borne by Joutabaee was lawfully begotten, or the result of its mother's adulterous transactions, but whether or not that lady was actually delivered of a child, and on this point, the committee repeat, the alleged impotence of her husband would throw no light, even were it true. But the committee deem it their duty to express their strong professional opinion that there was nothing in the physical condition of the late Bachur Sammuldass to prevent his impregnating his wife nine months previous to the 23d December 1845; and this opinion they rest on the testimony of Moteeram, the witness adduced to prove the impotence of the said Bachur Sammuldass. Assuming the truth of that man's statements, the committee cannot discover that till within one, or, at the very most, two months of his death, Bachur Sammuldass laboured under any more serious ailments than irregular attacks of intermittent fever, accompanied by cloudy urine; and they believe that no physician, physiologist, or medical jurist, would consider such a state of health to be evidence of impotence, or even to render it highly probable. This argument, therefore, the committee have no hesitation in rejecting as invalid.

12. The next they have to notice is that founded on the testamentary deed alleged to have been executed by the late Bhachur Sammuldass.

13. Were the document proved genuine, and to have been obtained when Bhachur Sammuldass was in the full possession of all his mental faculties, it would only demonstrate that at the date of its execution he was not aware of the pregnancy of Joitabaee. The deed in question bears date the 4th August 1845, or 142 days prior to Joitabaee's alleged delivery. Assuming her to have been really delivered of a child, and that her pregnancy lasted for the full period of 280 days, she could only have been impregnated 138 days, or rather less than four months and a half, when the deed was executed; and it is quite within the range of possibility that a woman should be in her 4th or 5th month of pregnancy, and the circumstance be unknown to her husband, who had for a month been an invalid. The probabilities, indeed, would greatly preponderate on the other side were it not for the fact, hereafter to be adverted to, that Joitabaee is one of those ladies who continue to have monthly sanguineous discharges during their pregnancy. Regarding the nature of these discharges, different views have been promulgated, but their occurrence is well established. When they occur, neither the ladies themselves, nor those around them, can discriminate between them and scanty ordinary menstrual discharges, "and I may add," says Professor Beck, "the medical examiner will often be in extreme doubt." The occurrence of these discharges, as will hereafter be shown, is no proof that the lady presenting them is not pregnant; but in popular estimation, they are assumed to denote an unimpregnated condition, and the committee conceive that their occurrence in the person of Joitabaee was calculated to impress her husband with the belief that in professing to be pregnant, she was either deceiving herself, or attempting to deceive him, with a view to influence his testamentary arrangements. Holding this opinion, the committee cannot perceive that any presumption against Joitabaee's pregnancy would be afforded by the deed of the 4th August 1845, even were it proved to be a genuine document, and to have been obtained when Bachur Sammuldass was in full possession of all his faculties; but the committee have learned from the Resident, that the deed itself, and the circumstances under which it was obtained by Baba Nafra, the confidential agent of Bachur Sammuldass, and subsequently the denouncer of his widow, are open to grave suspicions; and they themselves, as medical men, entertain great doubts whether at the time the deed was obtained, or alleged to have been obtained, Bachur Sammuldass was in such full possession of his mental faculties as to enable him to take a clear view of his worldly interests, and relations of the several claims of those dependent on him, or of the probability of contingent events. Baba Nafra professes to have got this document on the 4th of August 1845, during an interview he had with the sick banker. That interview, the committee learn, took place about 9 a.m., and it is in evidence before them that at 4 a.m. Bachur Sammuldass had been seized with "a fit" of so alarming a nature as to lead all around him to believe he was dying. He was subjected to active remedial treatment; it is distinctly affirmed by two of his personal attendants, whose depositions are in possession of the Resident, that he was insensible for some time, and it is conceded by his physician that at one period of his attack he did fall into a state of insensibility. The committee regard it as a very suspicious circumstance that Moteeram, while under examination, begged them to erase all allusion to the banker's insensibility; and that on their asking him why he sought to withdraw the statements he had previously made, he displayed a considerable amount of uneasiness, and assured them, with much apparent anxiety, that the insensibility had only lasted for a few moments; but as the committee have already observed, even were the document allowed to be genuine, and

to

to have been obtained when the banker was in full possession of his faculties, it would afford no presumption against the reality of Joitabaee's pregnancy, when consideration is had to the uterine discharges, to which, as first alleged by her enemies, and as frankly allowed by herself, that lady was liable. The act of the banker in placing the son of his elder wife in Joitabaee's lap, even were the interpretation given to that act by Joitabaee's enemies undoubtedly true, would at most only imply the same ignorance of her pregnant state, as is sought to be established by the deed above alluded to, and would therefore afford no presumption against the reality of her pregnancy; but the committee have been assured by those familiar with native life, that the interpretation put on the act of the banker adverted to, is, under the circumstances of the case, a forced and disingenuous one.

14. The committee have next to notice the argument founded on the allegation of Moteeram, that Joitabaee was not pregnant at the date of her husband's death.

15. The reason urged in behalf of his allegations are twofold; first, that seven or eight days prior to the death of her husband, Joitabaee had her catamenial discharges; and, secondly, that though he had occasion to examine her abdomen on the day of her husband's death, he then detected no signs of pregnancy.

16. As regards the first of these reasons, the committee have only to observe that it possesses no value or cogency whatever. In a majority of cases, pregnancy is undoubtedly accompanied by a cessation of the monthly discharges, but the exceptional cases are numerous. The greatest obstetric authority of the present day is probably Paul Dubois, and that eminent writer thus expresses himself: "That menses also may continue though pregnancy exists, is a fact now well established in science; and a year does not elapse without my having occasion to point out to my pupils well marked examples of the exception." Dr. Burns says, "I have not known any instance where menstruation was perfect and regular during the whole of pregnancy, but we sometimes find that every month, for at least part of the term of gestation, there is for a day or two a sanguineous discharge, with pain." Dr. Gooch observes, "There is scarcely any one symptom of pregnancy which may not arise from other causes; and, on the other hand, pregnancy may exist without being accompanied by the usual symptoms. * * * I have seen a dozen cases in which women, for the first few months after conception, have had a discharge from the vagina, which could not be distinguished from those of menstruation." Whether these discharges are physiologically menstrual, has been a contested point. Dr. Hamilton and others maintain that they are not, but of extraneous origin, inasmuch as a careful examination will show that they differ in quantity, quality, duration, and regularity of recurrence, from the menstruous discharges of unimpregnated women; and in reference to this opinion, Professor Bech observes, "Probably the last is the preferable explanation; it is most consistent with our ideas of the phenomena of pregnancy. When applied, however, in medical jurisprudence, we must recollect the remark of Dr. Gooch, that whether it be menstruation or periodical hemorrhage from the above causes or from partial separation of the ovum, the female cannot discriminate; and I may add, the medical examiner will often be in extreme doubt." And Dr. Reid, in his "observations on the fallacy of the individual signs of pregnancy," published in the "Lancet" in 1838, observes, "no doubt can exist as to the fact of a monthly discharge during the early months of pregnancy, and sometimes even up to the latest period. Whether it is really menstrual or not matters little if the resemblance be so close that the female is unable to discriminate between them." To multiply quotations is unnecessary, for the committee think they have stated enough to show that whatever be the source whence they are derived, whether they be menstruous or hemorrhagic, periodic discharges are observed amongst pregnant women. Joitabaee, by her own account, seems to have had a scanty discharge up to the sixth month of pregnancy; her mother informed the committee, that in all her own pregnancies she likewise continued to menstruate; and though this statement may be either true or false, the committee would observe, as a physiological fact, that uterine peculiarities are frequently transmitted by ladies to their daughters.

17. As regards the alleged examination of Joitabaee by Moteeram, it appears doubtful to the committee whether any such examination ever took place. Joitabaee denies that Moteeram ever visited her, and Moteeram himself is unable to name any one who was present when the alleged examination took place; allowing, however, that it did take place, it would have been impossible from the nature of the examination, as described by Moteeram himself, for that individual to form an opinion as to whether Joitabaee was pregnant or not. He stated to the committee that he did not, at the time, give the subject a thought; that as the Settannee complained of pain in her stomach, he simply placed his hand on her abdomen, above the navel, to determine whether or not the pain arose from flatulency, and that, having ascertained such to be the case, he prescribed suitable remedies. So cursory was his examination, that he is unable to say whether or not her abdomen was flatulently distended. The committee on these grounds discard as invalid the argument founded on Moteeram's testimony.

18. The next argument is that founded on the alleged fact, that the elder widow, Mahaluxamee Baee, who, from living with Joitabaee, had undoubted means of ascertaining her real state, disbelieved her alleged pregnancy.

19. Maha Luxamee Baee was, during the life of Joietabaee's alleged child, a pre-eminently interested witness, inasmuch as an immense increase of wealth and importance would have been secured to her own child by a legal sentence, condemnatory of Joietabaee's pretensions to be a mother, and after the death of Joietabaee's child, she still continued to be an interested witness, though not exactly to the same extent. The committee, therefore, would have been inclined to receive with some caution any testimony afforded by that lady to the prejudice of Joitabaee's claims; they would have been inclined to insist on her being submitted to a cross-examination, with a view to elicit from her an explanation of her reasons for not having at the time exposed the fictitious pregnancy of Joietabaee, for not having denounced and appealed against that lady's fraudulent enactment of a delivery, and for having actually congratulated Joietabaee on the birth of her son. But such an examination was rendered unnecessary by the information given to them by the Resident, to the effect that Maha Luxamee Baee had some weeks previously repudiated the petitions to Government, in which she had been represented as denying the reality of Joitabaee's alleged pregnancy. These petitions she had declared were the unaided productions of the bank manager, Baba Nafra, who, in virtue of the powers vested in him as the trustee of her late husband's affairs, had unlimited control over her and the entire household, and used them as his passive tools. The committee, therefore, simply begged to have Maha Luxamee Baee examined touching the allegations in reference to Joitabaee's pregnancy and delivery, made in the petitions sent to Government in her name, and that lady in reply * distinctly states that she never doubted, nor had grounds for doubting the reality of Joitabaee's pregnancy. The committee, therefore, not only erase from the record the argument under notice, but would observe that its examination results in bringing forward Maha Luxamee as a strong witness in favour of the reality of Joietabaee's disputed pregnancy and delivery.

* *Vide* Deposition No. 44, of App. (F)

20. The next argument is that founded on the alleged confession made by Joietabaee Settanee to Moteeram and Treeboun Jossees, when these individuals were sent to her by Maha Luxamee Settanee. Mahaluxamee Baee, in her examination, taken by order of the Resident, denied that she ever sent Moteeram or Treeboun Jossees in the alleged mission, or that she ever entertained the doubts which are said to have induced her to send them. Joietebaee herself positively denies that any such visit was paid to her, and Moteeram's own account of his mission, of the circumstances under which it was assigned him, and of the manner in which he acquitted himself of it, decidedly supports Joietabee's denial. He is unable to name any one who heard Maha Luxameebaee depute him to visit Joitabaee; he acknowledges that he never returned to Maha Luxameebaee to apprise her of the important result of the alleged visit, and the conversation he professes to have had with Joietabaee resembles rather an attempt to census † that lady into a denial of a real pregnancy than into penitence for enacting a fictitious one. To these considerations the committee add the fact that, in spite of her alleged confession of fraud, Joietabaee continued to profess herself pregnant; the fact that the arrangements preceding her accouchement were sanctioned by the very lady who is represented as having sent Moteeram to remonstrate with Joietabaee on her fictitious pregnancy; the fact that, on the appearance of the child, the usual presents and congratulations were made by the same lady; and the additional fact, that for 14 months after the child's appearance, the reality of Joietabaee's accouchement was unquestioned in spite of the alleged confession; and weighing these facts and considerations, the committee have no hesitation in rejecting the alleged mission of Moteeram and the alleged confession of Joietabaee as sheer fictions.

† *S. O.*

21. The next argument is founded on the omission, during the alleged pregnancy of Joitabaee, of certain rites and ceremonies performed by or in behalf of all pregnant Hindoo women at the fifth and seventh months of pregnancy.

22. In reference to this argument the committee cannot but express their surprise that it should have been advanced. To use a term current among lawyers, it "proves too much." Joietabaee's enemies do not allege that she was guilty of the absurdity of pretending to be delivered of a child miraculously extemporised without the trouble of a preliminary uterogestation. The charge against her is, that she feigned a pregnancy so successfully as to be able to pass off as her own, a child purchased from certain kolies, and the argument under notice, if it possesses any validity whatever, tends to prove that she feigned it in so imperfect a manner that the fraud must have been self-evident at the time, inasmuch as she omitted to perform two ceremonies, the performance of which (as implied in the argument) is incumbent on every pregnant woman of her caste. But not only does the argument prove too much in its adduction, the committee discover gross disingenuousness. They have ascertained that neither of the two ceremonies adverted to can, under any circumstances, be performed after the death of the husband; ‡ and that it is unusual to perform either when the husband is seriously ill. Joietabaee's husband died six weeks before the time had arrived for the performance of the seventh month's ceremony, and at the period when the fifth month's ceremony ought to have been performed he was stretched on his death-bed; even had it been otherwise, its omission would only have proved that Bachur Samuldass was ignorant of, or disbelieved Joietabaee's pregnancy, and, as has been seen, such ignorance or disbelief would afford no presumption against the reality of that pregnancy.

‡ *Vide* Nos. 36 and 40 of App. (J.)

23. The next argument the committee have to notice is that founded on the statement of Phunnee, that though a personal attendant of Joietabaee, she did not believe her to

be

be pregnant. This argument the committee find put forth by the court which tried Baba Nafra, in the following terms:—

"The woman Phunnee, who would appear to have been engaged as the personal servant of the Settannee, and further, being an experienced woman, would have had some knowledge of the circumstance, if the Settannee had actually been with child; and it appears rather strange that a personal servant should be prohibited from touching the person of her mistress on occasions of bathing, &c., and that persons from her mother's house should be called in for the performance of such offices. These circumstances appear rather suspicious."

24. The discrepancies in the several depositions of Phunnee, in possession of the Resident,* together with the self-contradictions committed by her while under examination before themselves, and with her general conduct during those examinations, alluded to in Appendix II., have left on the minds of the committee the impression that she is an untruthful woman, on whose assertions no reliance is to be placed. But taking her evidence as it stands, it will be seen that she positively denies that it was any part of her duty to assist Joietabaee either in bathing or dressing. This denial is confirmed by the declaration of Maha Luxamee Baee, as communicated by the Durbar, in a yad to the Resident,† to the effect that Phunnee's functions were those of "a slave girl;" and it derives increased confirmation from the depositions of the goomastas of the house of Hurree Bhucktee‡ taken by the Durbar, at the instance of the Resident, and by that officer submitted to the committee. These men state, that prior to the death of Bachur Sammuldass, the duties of Phunnee were limited to scouring cooking pots, and in reply to the demand of the Resident for the date of Phunnee's discharge from Joietabaee's service, they declare their inability to furnish it from the account books of the firm, as Phunnee had at no time received wages, rendering such services as she actually performed in consideration of food and clothing. The committee, therefore, do not consider Phunnee's evidence now under notice as in any way elucidating the subject of their inquiry. To her assertion, that she did not perceive Joutabaee's pregnancy, they oppose the deposition of Joutabaee's sister, widow Maha Luxmee Baee, who was living with her, to the effect that she, so deeply interested in the matter, and herself a mother, which Phunnee was not, never doubted, nor had cause to doubt the reality of that pregnancy, and they have no hesitation in preferring the testimony of the latter regarding her as the more trustworthy and experienced of the two, and as having had better opportunities of judging, and stronger inducements to scrutinise Joutabaee's condition.

* *Vide* analysis of this witness's evidence given in App. (M.)

† *Vide* No. 37 of App. (J.)

‡ *Vide* No. 34 of App. (J.)

25. The next argument is founded on the further evidence of Phunnee, to the effect, that the usual phenomena of a lying-in chamber were absent in that of Joutabee's, and that the child, of which that lady professed to have been delivered, presented none of the appearances of a newly-born infant.

26. Leaving out of consideration the general untrustworthiness of Phunnee, as above adverted to, the committee would find sufficient to justify their rejection of that woman as an incompetent witness, on her own admissions, that she had never been a mother; that till her attendance on Joutabaee she had never entered a lying-in chamber, and that she had never in her life seen a newly-born infant; and when in addition to this they find her declaring that she was in constant attendance on Joutabaee for 16 days after her alleged accouchement, that during that time she never saw the child either fed or suckled, and that she was unable to say in what manner it was nourished, the committee are convinced that no reliance is to be placed on her evidence.

27. The last argument the committee have to notice is that founded on the written acknowledgment of her fraud, alleged to have been given by Joutabaee to Baba Nafra.

28. The committee have learned from the Resident, that at the date affixed to that document, Joutabaee was confined in a dark and iron-barred room by Baba Nafra, that guards were placed over her by that individual, and that she was completely at his mercy; the Durbar having refused to interpose in her behalf; she was, therefore, in the strictest sense of the word, under duress, and the committee believe that no court of justice in the world would recognize the legal or moral validity of a deed to the detriment of its executor, thus obtained, which was repudiated after the release of the person executing it. The committee find that far from acknowledging the validity of the deed in question, Joutabaee solemnly denies ever having executed it, even under compulsion, and the committee find that the whole tenor of her petitions to the Resident and to Government, both during and subsequent to her imprisonment, is inconsistent with the belief that she ever did execute it. And in addition to these considerations, they have been informed by the Resident§ that his judicial investigations leave no doubt on that officer's mind, that the deed spoken of was one of numerous forgeries and fraudulent papers, by means of which Baba Nafra endeavoured to effect the ruin of his mistress; on these grounds, not only do the committee reject the argument founded on the deed referred to, but they draw conclusions from it very unfavourable to the character and the cause of those who have contested the reality of Joitabaee's pregnancy and delivery.

§ *Vide* App. (N.)

29. The committee have now examined *seriatim* every argument which has been advanced with a view to show that Joitabaee Settanee did not give birth to the boy which she passed off as her own son, and they have found that while not one of these arguments possesses

any validity, some of them betray gross dishonesty on the part of those advancing them. These considerations, coupled with the anterior probabilities of the case, as enumerated in para. 3 of this report, and with the result of Dr. Davey's examination of the Settanee's person, the committee regard as quite conclusive of the fact that Joitabaee Setanee was delivered of a son on or about the 23d December 1845, and when to this the direct evidence given before the Resident by those present at the accouchement* is considered, the committee think that a case is made out which no medical jurist would for a moment hesitate to pronounce indisputable.

*Nos. 34, 35, and 36 of App. (F.)

30. The midwife who officiated at Joitabaee's confinement is dead, but her husband testifies to the fact that she attended, and was remunerated for her services. Joitabaee's mother, and grandmother, her cousin, Maha Koovur, a neighbour of that name, and another intimate neighbour, named Mhuncha, depone to having been present at the confinement, and further, the first wet-nurse called in by Joitabaee has sworn before the Resident, that though her services were required in consequence of Joitabaee's milk beginning to fail, still that lady occasionally suckled her child.

31. The committee observe that while the native court which tried Baba Nafra treated as valid evidence the declarations of that individual, they rejected as inadmissible the evidence of all who were in any way related to Joitabaee. It is not for the committee to criticise the conduct of that court, but as medical men they would observe that few witnesses are available in reference to a disputed delivery save the relations and intimate personal friends of the lady.

32. The committee, in conclusion, have only formally to repeat that having maturely weighed and considered the whole of the evidence in favour of Joitabaee having been delivered of a child on or about the 23d December 1845, as well as the evidence adduced to prove that she did not then give birth to a child, are of opinion that she was actually delivered of a son on or about the date specified.

(signed) *Geo. M. Ogilvie,*
Residency Surgeon and President.

(signed) *J. P. Davey,*
Assistant Surgeon and Member.

Dr. Saunderson, before leaving Baroda, stated to the committee, that he was of opinion that Joitabaee gave birth to a son on or about the 23d of December 1845, and requested that his opinion should be attached to their report on the proceedings.

(signed) *Geo. M. Ogilvie,*
Residency Surgeon and President.

(signed) *J. P. Davey,*
Assistant Surgeon and Member of Committee.

Appendix to the Report.

I. (A.)

EXAMINATION of Moteeram Vyd; Religion, Hindoo; Caste, Anditah Brahmin; Profession, Physician, aged 66; Inhabitant of Baroda, before a Committee of Medical Officers, assembled at the Residency, on the 24th January 1851.

IN reply to the questions put by the committee, Moteeram communicated the following information.

For 45 years he has practised as a physician, but has had no midwifery practice whatever, never having had a single case, nor has he the slightest knowledge either of this subject or of female diseases.

For 40 years he has been one of the medical attendants of the firm of Hurree Bhugtee, on a salary of 100 rupees per annum; besides which he receives presents on family events to a considerable amount.

He attended the late Bechur Samuldass for a year prior to his death. That individual had been more or less liable to fever and cloudy urine; but it was not till within two months of his death that he was confined to bed, or gave up his usual airing or ordinary habits of life; and it was only within a month of his death that he was considered in danger; latterly another physician was called in, and Moteeram ceased to be his attendant. The fit alluded in the deposition taken before the Durbar and the Resident took place about 20, 25, or 30 days before the Sett's death, but the nature of the fit it is impossible to ascertain from the description of the witness. He first told us the banker was quite insensible; then afterwards denied that he had been so, and when told that he was contradicting himself, declared that Bechur Bhoy had been insensible only for a few moments. When asked at what time he thought the Sett was in a dying way, the witness contradicted himself in a most marked manner; at length, he says for a month prior to his death.

Up to this time, the committee not wishing to arrogate the functions or assume the appearance of a court, have been content with taking notes of the information given by Moteeram,

Moteeram, but his gross equivocations, and generally disingenuous manner induce the committee to adopt the system of recording all the questions and answers, and to this plan they resolve to adhere during the remainder of their inquiry.

Question. Did you ever attend Joitabaee Settanee during the illness of the Shett, or prescribe for her?—*Answer.* I was never aware of Joitabaee Settanee being ill, nor did I prescribe any medicine.

Did Joitabaee ever complain to you of pains in the stomach?—Yes, the day on which her husband was laid out she complained of pain in the stomach; and I gave her some medicine which had been prepared for her husband.

Did you consider that the medicine which you had given to her husband when dying was proper for a woman with pain in the stomach?—The Shett used to complain of similar symptoms, and I thought the medicine which I had given to him would do the Settanee good also.

To what cause did you attribute this pain?—To wind.

What led you to infer it was wind?—The Shaster says all belly-aches arise from wind.

Did you examine her belly?—Yes; I laid my hands on it, but I did not look at it with my eyes.

Why did you lay your hands on her belly?—To ascertain whether the pain arose from wind.

What part of her belly did you touch?—I don't recollect.

In what position was the Settanee?—She was lying on her back on the ground.

Did you lay your hand upon her naked belly or over her clothes?—I have no recollection, owing to the confusion in consequence of the Shett's dying state.

Did you make a minute examination?—Just such an examination as usual.

Have you ever examined the bellies of other ladies?—Yes.

When other ladies are troubled with wind in the stomach, do you examine their naked bellies, or do you examine them over their clothes?—I examine their naked bellies with my hands, as far as the navel.

Do you never examine below the navel?—No (with emphasis).

Did you examine Joitabaee Setanee below the navel?—No.

When ladies are flatulent do you generally find the stomach distended?—Yes.

Was the Settanee an exception?—I have no recollection.

Had the Settanee her courses at the date of your examining the belly?—No, she had them seven or eight days before.

How do you know?—I saw her sitting apart.

Did your examination of the Settanee's belly enable you to judge whether she was pregnant or not?—I formed no opinion on the subject.

Why then did you swear that your examination satisfied you that she was not pregnant?—In my deposition I merely stated that I did not know whether the Settanee was pregnant or not.

Do you consider yourself qualified to determine whether or not a lady is pregnant at the fifth or sixth month of an alleged pregnancy?—Yes, from her appearance.

Could you determine the point, if the lady was laid on her back, and you were to place your hands not lower than the navel?—(After much equivocation he replied, No.)

It is a general custom with the English physicians, when prescribing for ladies, to ask if they are pregnant before giving them strong medicine. Did you ask such a question of the Settanee?—We are not instructed in the Shaster to ask that question; and I did not ask it.

Was the examination just referred to the only one you ever made of Joitabaee?—I have no recollection.

Did Mahaluxmeebaee ever ask you to examine Joitabaee Settanee after the death of the Shettjee?—I was only desired to give Joitabaee Settanee "sekamun" (moral advice), and not to make any examination of her.

Were you not instructed by Mahluxmee Settanee to go and examine Joitabaee Settanee as to her being pregnant?—(Emphatically), No.

What did you say to Settanee Joitabaee?—I told her that I did not know whether she was pregnant or not; but that she ought not to circulate a rumour of her being pregnant, as it would only be bringing disgrace on the family.

At the time you went to Joitabaee Settanee, by desire of Mahlxumeebaee Settanee, was it your opinion that Joitabaee was pregnant or not?—I had no opinion on the subject.

Why, then, did you tell her that it was disgraceful to say she was pregnant?—Because her pregnancy was reported all over the town.

If a lady is pregnant, is it proper to conceal the fact, or is it disgraceful to make it known?—It should be known, of course.

Why did you, then, tell Joitabaee Settanee that it was disgraceful to make known that she was pregnant?—I told Joitabaee Settanee that if she was pregnant there was no harm in it, but if she was not, that it was not proper for her to circulate such a rumour.

What did Joitabaee say?—She first said she was pregnant, but afterwards said, "What can be done now, since it is become known?" On this, I told her to give it out that she had had a miscarriage, which would at once put a stop to the rumour.

Did you propose to Joitabaee to examine her, to see if she was pregnant?—Certainly not.

Had Mahluxmeebaee requested you to examine her?—No; I was only desired to give her "sukamun."

(Here witness interrupts the examination, to request that the statement he made above to the effect that he had suggested to Joitabaee to circulate a rumour of miscarriage may not prejudice him, by leading people to suppose that he had given her medicine or employed any means to effect a miscarriage.)

What made you think that Joitabaee was not pregnant?—Simply the examination of her belly above referred to, and the fact of her having her courses.

When you gave "sekamun" to Joitabaee Settanee, was any one present at the time?—Yes, Josee Tribhowun was there; he was close by, and heard everything that passed.

Were there any other persons present?—There were many people, but they were at a distance, and I do not know them.

What are the symptoms of pregnancy?—(Repeating verses from the Shasters.) Enlargement of the stomach; pains in the calves of the legs; great thirst; eyes heavy; yellow countenance; walks with difficulty; vomiting; longing for things; palpitation in the womb; swelling in the hands and feet; difficulty in breathing; enlargement of the breast. In the fifth month an inclination to eat clay.

Had Joitabaee any of these symptoms?—I don't know.

Did you take any step to ascertain?—No.

Was it not your duty to ask her whether she had these symptoms before you tendered your advice, as above stated?—If Bechurbhaee Shet had been living, I would have ascertained from Joitabaee Settanee about these symptoms.

Was there not a greater reason to ask after the death of the Shettjee; the honour of the family and the wealth of the firm being all involved in the question whether Joitabaee was pregnant or not?—I was not requested by the elder Settanee to make any inquiry on these subjects; I was only desired to give "seekamun" to Joitabaee Settanee.

Is it customary amongst physicians to state that a lady is or is not pregnant, without instituting any inquiries regarding the symptoms above enumerated?—I am unable to answer this question.

Have you ever stated before the Durbar, or in town, that you believe Joitabaee was not pregnant?—I may have said so.

Do you consider it honest, as a man, and as a physician, to have stated so without making inquiry as to the symptoms above mentioned?—Such conduct is not considered disreputable amongst us.

Do you consider that your opinion of Joitabaee's pregnancy, simply founded on your examination of her at her husband's death, and on the fact of having had her courses at that time, would be backed up by other physicians of eminence?—I do not know whether they would concur or not in my opinion.

[Witness dismissed.

(signed) *C. Griffith,*
Ensign, 17th Regiment, Interpreter.

I. (B.)

SECOND EXAMINATION of Moteeram Vyed, concocted at the Residency on the 5th February 1851.

Question. WHO were present when you gave medicine to Joitabaee?—*Answer.* Hundreds.

Give some of their names?—I can't.

Was Mahluxmebaee there?—I don't know.

Who summoned you to attend her?—I don't know.

Where was she lying?—In a small room, close to the Sett.

Who was sitting beside her?—I don't recollect.

Did any one see you examine her stomach?—I can't recollect.

Who saw you give her medicine?—I don't recollect; I merely ordered the medicine; I did not give it.

Who gave it?—I do not know.

Who were present when Mahluxmeebaee Settanee told you to "secow" (advise) Joitabaee?—Only Mahluxmeebaee and her son.

Are you quite sure there was no one else?—I don't know.

Where was Joitabaee when she gave the "leck," confessing she was not pregnant?—I know nothing about it, and never heard of it.

Whom did Mahluxmeebaee send to call you?—I was in the habit of going every seven or 15 days to see her.

Were you in the habit of being alone with her?—No; sometimes the goomashtas were present; sometimes the servants, sometimes, perhaps, no one.

Were you ever, on a single occasion, allowed to sit alone with her, or with no one else than her son?—I do not recollect.

How long after the Shett's death was it that Mahaluxmee sent you to "secow" (advise) Joitabaee?—I don't recollect.

Who accompanied you to Mahluxmee when she told you to "secow" Joitabaee?—No one.

Who

Who accompanied you when you went to Joeetabaee?—Tribohunn Josee.

When was he sent for?—We both went together.

But you have just told us that you went to Mahluxmeebaee alone, and that no one was present but her son; how, then, were you joined by Tribioun Josee?—He lived in a temple near at hand, and Mahluxmeebaee sent for him.

Where was Joitabaee when you and Josee went to her?—In an upper room, behind a "purdah."

Who was beside her?—Some of her attendants.

Did they hear you address her?—I don't know.

Did Punnee accompany you?—I don't recollect.

What did Mahluxmeebaee tell you when she desired you to "secow" Joitabaee?—Mahluxmeebaee bid me tell her that if she was pregnant well and good; if not, not to allow the rumour to circulate.

Did you apply medicine to the Shet's private parts during his illness?—No.

Have you not deposed so?—No, never.

Did the Shet ever complain to you of impotence?—I have already said he passed cloudy urine.

Do you think that this cloudy urine, and the general state of health it indicated, prevented him from begetting children?—Yes; it is one of the symptoms given in the Shasters.

(Witness here interrupt the committee to say that he never gave a thought to this matter, and that a woman, not a physician, is the best judge of a man's sexual abilities. He declares he has no experience on these subjects.)

Did you ever state, in your deposition, that you believed Bechur Samuldass to be impotent?—I never used such an expression; I said he had cloudy urine.

But did you not mean to imply that he was impotent?—No. How could I know?

How long before his death had he cloudy urine?—About a twelvemonth.

What report did you make to Mahluxmeebaee after "secowing" (advising) Joitabaee?—I did not go to her again.

Why did you not?—It was not my pleasure.

When ladies send physicians, or others, to deliver messages, is it not disrespectful not to bring back a reply, or, at least, to report how things have turned out?—It is not my custom.

Why did you not return, at least, to take leave of Mahluxmeebaee?—It is not my custom to do so, I am very independent.

Did you send Trebowun Josee back to her?—No.

Was he also too independent to observe ordinary courtesy?—I suppose so.

[Witness is dismissed.

(signed) *C. Griffith,*
Ensign, 17th Regiment, Interpreter.

I (C.)

THIRD EXAMINATION of Moteeram Vyeed, conducted at his own House, 11 February 1851.

Question. WHAT medicine did you prescribe for the Shettjee on the day of his fit?—*Answer.* "Urdnareshwur matra," and "hemghur matra."

What is the nature of these medicines?—I cannot tell without looking into the pothee (book).

At what hour were you called to see the Shett?—About four in the morning.

Where were you at the time?—I was in the Mundeer of Ballajee.

How long did you continue to give him medicine?—I only gave him once, when, about half an hour after, he revived a little.

Did you see the Shet the next day?—I remained in attendance on him till his death.

You told us the other day that the Shet, not getting better from your medicine, called in another physician to attend on him, how then can you say you attended on him till his death? (Here the examination is interrupted, owing to Moteeram's friends taking on themselves to answer for him. It is intimated to them that this cannot be tolerated, and they are requested to stand some paces off.)—I was then alluding to a former illness.

Who is the physician that you referred to?—Hurjeewun Vyeed; but he is dead.

After the day of the fit, which occurred about 25 days before the Shet's death, was there no physician in attendance but yourself?—No, except once the Maharaj sent his physician to see the Shet, but he did not take his medicine.

What is that physician's name?—I do not know.

Is he alive or dead?—He is dead.

How is it that you don't know the name of that physician?—He was commonly called "the great physician;" his salary was a lack of rupees.

Tell us the names of the medicines you continued to give the Shet till the time of his death?—I have already told what medicine I prescribed for the Shet.

Did you prescribe no other than those you have mentioned during the whole time that elapsed between the Shett's fit and his death?—No.

Do you consider that these medicines were sufficient for a man labouring under mental disease?—Yes. I never gave him any medicine between his fit and the occurrence of his death.

Do you mean to say that it is the custom of physicians to allow a man to die without prescribing any medicine for him?—It is not customary to give medicine unless the patient wishes.

But do you understand us? What we ask is this: you say you were in constant attendance on the Shett up to the day of his death. Did he never present symptoms which seemed to you to require the administration of medicine?—Seeing on the day of the fit that he must die, I did not think it necessary to prescribe any medicine for him. It is not my custom to do so. I simply sat beside him and talked to him.

On the day of the fit what symptom made you think the Shet would not recover?—My experience in such cases led me to think he would never recover, and for this reason I did not think it necessary to prescribe for him.

You told us that the Shett revived from your medicine?—The medicine was only adapted for fits.

Had the Shett any other fit?—Only on the day of his death.

Why did you not repeat the medicine?—He had lost the power of swallowing.

Do you know if any one else gave medicine to the Shett?—The Shett may have taken it by stealth. I do not know.

Did you ever prescribe bishop's weed between his fit and the day of his death?—No.

Was the Shett ever in the habit of taking it?—I do not know.

When you prescribed for Joitabaee Settanee what medicine did you give her?—Bishop's weed.

Where did you procure it?—It was in the Shett's house.

You have already said that the medicine given to Joitabaee was medicine which you had prepared for the Shett, and the same you had given him during his last illness. How is this?—I simply prescribed bishop's weed to the Settanee.

Exactly; but in your former examination you told us that the bishop's weed given to the Settanee was some which had been prepared for the Shett. You were then asked if medicine appropirate for a dying man was adapted for a lady with pain in her stomach; you replied "Yes." You now say that you gave the dying man no medicine. How is this?—I only meant that the Shett was in the habit of taking bishop's weed when he felt flatulent.

Very good. But you distinctly told us that the Shett had been taking this bishop's weed during his last illness. You were aked by Dr. Davey whether the medicine proper to be given to a dying man was suitable for a lady with a pain in her stomach. You said, "Yes," distinctly giving us to understand that the Shett at that time was taking bishop's weed by your direction?—I don't recollect what I said.

Was Mahaluxmeebaee present when you prescribed for Joietabaee Settanee?—I don't recollect.

Is it not curious that no one has any recollection of your being called to see the Settanee, and that you cannot give the name of any person who heard of your prescribing for her?—I was so agitated and confused on account of the Sett's dying state, that I don't recollect anything about it.

Was Punnee woman present when you went to see Joitabaee?—I did not see her.

Mahaluxmeebaee says she never sent you to remonstrate with Joitabaee Settanee about her alleged pregnancy; you are unable to tell us the name of any one who heard her desire you to go; you are unable to give the name of any living person who saw you visit Joitabaee, and you say that you never reported to Mahluxmeebaee the result of the important message on which she sent you; all these circumstances are very suspicious. Can you state anything in explanation?—I have nothing to explain on the subject.

[Witness is dismissed.

(signed) *C. Griffith*, Ensign, Interpreter.

II. (A.)

EXAMINATION of Woman Punnee; Religion, Hindoo; Caste, Wesasurmdee; Profession, Domestic Affairs; aged about 50 years; Inhabitant of Baroda; before a Committee of Medical Officers, at the Residency, on the 25th January 1851.

Question. WERE you a servant of Bechur Samul?—*Answer.* Yes.

How long were you his servant prior to his death?—Twenty or twenty-five years.

When were you first appointed to attend Joitee Settanee?—After the Shet's death I was desired to wait on Joiteebaee Setanee.

By

By whom were you appointed?—I was desired by Joiteebaee to wait on her.

Who attended Joiteebaee Settanee before you did?—I do not know.

What was your duty before you were called to wait on Joiteebaee?—I was generally employed in the Shet's house.

What has been your duty since Joiteebaee's imprisonment?—I have done no kind of work.

In whose house do you live?—I reside in my own house, but I attend at Hurry Bhugtee's.

What is the nature of your work?—I have no particular employment at Hurry Bhugtee's, but when any death takes place in the family I am desired to make lamentation.

What is the nature of the duties you performed at Joiteebaee's?—I was employed in washing the Settanee's clothes, and in bringing her water.

Was it bathing or drinking water?—Drinking water; another servant brought bathing water.

Did you wash all her clothes?—Whatever clothes were given to me I washed.

Who brought the water to wash the clothes?—I used to go to the tank every 10 or 15 days to wash Joiteebaee Setaneee's "sarees."

Had not the Setanee Joiteebaee a dhobee?—Yes.

Why were the sarees given to you to be washed?—I was employed to remove grease marks on the "sarees" before they were given to the dhobee.

Why did you require to go to the tank to wash the Setanee's sarees, when a dhobee was kept for that purpose?—It is customary amongst us, when we have leisure, to go and wash the Setanee's clothes.

Was it your duty to assist the Setanee in bathing?—I never assisted the Setanee in bathing.

Did you never, on any occasion, see her bathing?—No; I simply placed the water near her, and went away.

Was it your duty to assist the Settanee in dressing?—No.

Do you recollect the alleged birth of Joitabaee's child?—(After detaining the committee for a quarter of an hour, she declared that she has no recollection of any circumstances regarding Joitee Setanee beyond what she has above stated; and she declines stating any other circumstances, alleging as her reason that she fears she may get into trouble. Witness is here assured that no one will blame her if she speaks the truth.)

What person would be likely to blame you, if you speak the truth?—(Witness declines to answer this question, and declares that she recollects no more than what she has above stated; but she volunteers to sign the depositions taken by Baba Nafra and the Durbar, as both being strictly correct.)

You made a deposition before the Durbar in September 1850; is it correct?—Yes.

Do you recollect what you stated on that occasion?—Yes, perfectly.

State, then, what you deposed before the Durbar in reference to the alleged birth of Joitabaee's child?—When the Setanee went to her parents' house I accompanied her, and the Setanee's mother desired me to go down stairs and bring some ashes. When down stairs I heard the "thallee" beat, and thus knew that a child was born. I then went up stairs with the ashes and found the child lying naked on the floor, and the mother of Joitabaee sent for her relatives to rejoice with her.

To whom did you give the ashes?—I gave them to the mother of the Settanee.

What quantity of ashes did you bring up?—About two handsful.

What did Larbaee do with the ashes?—I do not know.

How long did you remain in the room after taking up the ashes?—I do not recollect.

For what purpose did you think the ashes were required?—As Joitabaee had got her labour pains, I was desired to get some ashes.

What do you suppose the ashes were required for?—The ashes were strewed on the ground by the mother of Joitabaee.

Had Joitabaee's mother any milk in her breast?—I don't know.

Was any child born to Joitabaee's mother after Joitabaee's marriage?—Yes, she had a son.

When?—I can't tell.

Did you ever see Joitabaee's son fed?—No.

Did you ever see Joitabaee's son at Larbaae's breast?—No.

Did you ever see Joitabaee's child at her own breast?—I may have seen it, but I don't recollect.

Why did you not remain more than 16 days with Joiteebaee after the boy made its appearance?—As I fell sick I went to my house.

Did you ever return to Joitabaee?—No.

Why not?—As there was a wet and a dry nurse kept I was not required.

What work did you perform afterwards at Hurree Bhugtee's?—I performed no work; I merely used to go to take my meals.

What pay did you continue to receive?—I received clothing, food, and three rupees a month, and I got a present of 50 rupees when I went to "Jatra" to Dwarka.

From whom did you receive the amount?—From the bank.

At what time did you go to Dwarka?—I accompanied Baba Nafra's wife.

In what capacity did you go?—I went for the sake of my own soul. I performed no service.

At what time did you go to Dwarka?—Last December was a year.

Had you ever stated in the town that you were sure Joitabaee had no child ?—I never said anything of the kind to any one.

Did you see Joiteebaee give a "leck" to Baba Nafra, to the effect that she never had a child ?—Yes.

Who were present then?—Bhugwan Muzmodur, Dya Sunker (deceased), and myself.

Did you see the leck written out?—Yes.

Did Joiteebaee write herself, or who wrote it?—Bhugwan Muzmodur wrote it, and the Settanee signed, and Dya Sunkur witnessed it.

(This evidence is given with evident pleasure and great fluency.)

You recollect this; how is it, then, that you forget all other circumstances connected with the case?—The writing was of more recent occurrence.

Have you ever seen a newly-born child's navel string?—Possibly I have seen it.

Do you know what an afterbirth is?—I don't know what it is.

Have you never seen one?—No.

In the present examination have you stated anything false?—(Witness being evidently highly amused, laughs, and says that she can't tell, but if she has, it will be found out hereafter. Witness is dismissed, but at the request of one of the members of the committee she is recalled, and interrogated as follows):—

After you left Joiteebaee's service were you in the habit of seeing the boy?—Yes.

Daily?—No.

How often?—Every 10 or 15 days.

Did you ever take it in your arms?—Yes.

Had it small-pox?—I do not know.

Was it your duty to assist Joiteebaee Settanee in dressing?—It was not my duty to attend Joiteebae when dressing; she dressed herself.

Did you ever see this lady before (pointing to Mankoover, who had been called in for identification)?—Yes.

Was she in Joiteebaee's house at the time when the child appeared?—Yes.

Do you know this lady (pointing to Muncha, who had been similarly summoned)?—Yes.

Was she present when Joiteebaee's child appeared?—No, she came afterwards.

Did this lady or the midwife come first?—I do not recollect who came first.

[Witness dismissed.

(signed) *C. Griffith*, Ensign, Interpreter.

II. (B.)

SECOND EXAMINATION of Rumee Woman, conducted at the Residency, on the 5th February 1851.

Question. WHAT caste are you?—*Answer.* Shemaree Banian.

What witnesses can you bring to prove that you were a personal attendant on Joiteebaee Settanee?—Joiteebaee's mother, Larbaee.

Repeat the nature of your duties?—I have already told you, and how can I recollect now what I said?

It is not what you said that we now ask; we wish you to tell us the nature of your duties?—(Witness refers to her former depositions and declines to answer.)

In your former depositions you have contradicted yourself as to your duties; which of these depositions are true?—The first deposition I made before Baba Nafra is a true one.

What induced you to say what was false in your subsequent depositions?—There were no contradictions in them.

In one deposition you state that you were down stairs when you heard that Joitabaee was delivered; in another, given before the Durbar, you say that you first heard of Joiteebaee's delivery when you went up stairs; which of these is true?—The first deposition is correct.

In one deposition you state that Larbaee directed you to bring the ashes before you had entered the room; in another deposition you say that you followed Joiteebaee to her father's house, and saw her seated in an upper room, and that she told you to go for the ashes; which of these stories is correct?—I had not entered the room when I was desired to bring the ashes.

Were you present when Moteeram Vyed gave medicine to Joitabaee?—I can't recollect anything now.

You have told us that you were present when Joiteebaee gave to Baba Nafra a leck, acknowledging that she had no child; was Joiteebaee in confinement at the time?—She was not in gaol.

We know that. What we ask is this: was she secluded and placed under guard, or was she living in the same freedom as that in which she formerly lived before the Sett's death?—She was living in perfect freedom.

In

In what room was the "leek" given to Baba Nafra by Joitabaee?—In the middle of the upper room, where Joitabaee now lives.

How did you come to be present when the "leek" was given to Baba Nafra by Joitabaee?—I was desired by Baba Nafra to attend.

How was this. You before declared that you left Joiteebaee 16 days after her delivery, and did not again go to do work in the house of Hurree Bhugtee?—Baba Nafra summoned me to ask me, as I accompanied Joiteebaee to her father's house, whether she was actually confined or not.

What reply did you make?—I simply said, that on returning with the ashes I saw a child in the room; but I gave no opinion regarding it.

On the occasion of your going into the room, and seeing the child lying close to its mother, did you observe whether the child was male or female?—No; but I was told by Larbaee that it was a boy.

You have stated before the punchayet that the child was not a newly-born one?—If I stated so in the former deposition, it is correct; but I don't recollect.

Have you ever seen newly-born children?—Never.

How is it, then, that you ventured to tell the Durbar that this child you saw with Joiteebaee was not a newly-born child?—I never deposed to any such thing.

Her deposition on this point as given, deposition of 18 September 1848, is read to her, and she is asked if it is what she said?—What was given in the deposition may be correct; but I have no recollection of it.

You once deposed that you were the personal attendant of Joiteebaee, and that it was your duty to dress her, and help her to bathe. In another deposition you say that it was not your duty to help her to bathe or to dress; which of these statements is true?—It was not my duty to bathe or dress her.

How do you account for these discrepancies?—I have always told the truth; but what the karkoon may have written I do not know.

We wish you to tell us whether you think that Joiteebaee's child lived without food for the 16 days you were there; or how do you think it was nourished?—I know nothing about it; its mother and grandmother must know how it was fed.

If you were constantly in the room, how could you fail to see the child fed or suckled?—If Joiteebaee had taken the child in her arm, how can I say whether it was to suckle it or not.

But you say that Joiteebaee was never pregnant; how could she have milk in her breast?—I never said that Joiteebaee was never pregnant.

Did you not say that she had never been delivered of a child?—If I had said so before the Durbar, I suppose it must be correct.

How, then, is it possible that Joiteebaee could have milk in her breast?—I do not know; her mother and grandmother must know it.

[Witness is dismissed.

(signed) *C. Griffith*,
Ensign, Interpreter.

III.

EXAMINATION of woman Mankooer; religion, Hindoo; caste, Wesular Wania; profession, her own domestic affairs; aged 22 years; inhabitant of Baroda; before a Committee of Medical Officers at the Residency, on the 27th January 1851.

Question. FOR how many years have you known Joetabhaee Setanee?—*Answer.* I am related to Joetabhaee Setanee. I am second cousin to her, and have known her for many years.

Did you see Joetabhaee Setanee frequently after the death of the Shetjee?—As I lived close to her, I used to see her frequently.

Did you know that Joetabhaee Setanee was pregnant at her husband's death?—Yes.

How did you know?—Simply from her appearance.

Had you yourself been a mother before that time?—No.

Had you seen ladies in the family-way before Joetabhaee was pregnant?—Yes.

Did you see Mahluxmeebaee often with Joetabhaee after the Shetjee's death?—They lived together for one month and a half after the death of the Shetjee.

Were they good friends?—Yes.

When Mahaluxmeebaee was with Joetabhaee Setanee, did the latter cover herself with more clothes than ladies generally do when pregnant?—A single laree, which she alwayswore.

Did Joetabhaee ever speak to Mahaluxmeebaee about her being pregnant?—Yes.

Do you know whether Mahaluxmeebaee Setanee appeared to doubt Joetabhaee's pregnancy?—Mahaluxmeebaee told every one that Joetabhaee was pregnant, and regretted that the Shetjee did not live to see her confined.

When did Mahaluxmeebaee leave Hurry Bhugtee's house after the Shetjee's death?—She did not leave the house, but she went to another part of it.

Why did she go there?—She went on account of a swelling on her face (dhowra), but continued to see Joetabhaee frequently.

Was Joetabhaee confined in her husband's, or her father's house?—In her father's house, according to custom.

Is it customary for ladies to leave their husband, and go to their father's house to be confined?—Yes.

Did Joetabhaee communicate her wish to Mahaluxmeebaee to go to her father's house to be confined?—Joetabhaee sent word to Mahaluxmeebaee that she was going to her parent's house to be confined; and every one knew she was in pain.

Did Mahaluxmeebaee make any objection to her going?—No.

Did Joetabhaee communicate her wish to Mahaluxmeebaee to go to her father's house to be confined?—Joetabhaee sent word to Mahaluxmeebaee that she was going to her parent's house to be confined, and every one knew she was in pain.

Did Mahaluxmeebaee make any objection to her going?—No.

Did Joetabhaee communicate her intention to Baba Nafra of going to her father's house to be confined?—Yes; and Baba sent a palanquin, mussals, and bearers, to take her to her parent's house.

Was Joetabhaee in pain before she left her husband's house?—Yes, for two days.

What sort of pain did she complain of?—She complained of pains in her back and belly, and she cried out.

In what state was Joetabhaee when she got into the palanquin?—The pains got worse, and more frequent.

Did you see her do so?—Yes.

For what purpose did her mother strew the ashes?—I can't tell.

Who swept the ashes away?—The midwife must have removed them.

Did you see it done?—Yes.

How long were they on the floor before they were swept away, and in what state were they when swept away?—They were on the floor for a gurree and a half; but, being short sighted, I could not tell what state they were in.

When you accompanied Joiteebaee to her father's house, was she suffering from pain?—Yes, she complained of pain, and said she was going to her parent's house to be confined.

Did you accompany her up-stairs?—Yes.

How long were you there before you were sent down for ashes?—I had only gone as far as the door when I was sent down stairs for ashes.

Had the midwife come then?—No; she came after.

When you returned with the ashes, was the midwife there?—No.

How long after did she come?—I don't remember.

How many women have you seen confined?—None; I have never been confined myself, nor have I seen any women confined.

Did Joiteebaee appear in pain when you took up the ashes?—(Witness evades the question, and says that she saw a child lying on the floor).

Was the child near Joiteebaee?—Joiteebaee was in a sitting posture, and the child was close to her.

What did the midwife do when she came?—She simply swept the ashes, and went away.

Were you in the room all the time the midwife was there?—Yes.

Who called the midwife?—Joiteebaee's mother may have sent for her.

Were you in the room when the midwife came, or did you go up-stairs with her?—I was in the room when the midwife came.

How long were you in fetching the ashes?—About half a gurree.

In what state was the infant when you brought the ashes into the room?—The child was lying naked on the floor, but I do not recollect whether it was crying or quiet.

How old did the child appear?—I don't know.

Have you ever seen a newly-born infant?—No.

Who were in the room when you went in with the ashes?—Joitabaee Setanee, her mother, Larbaee, and Maneover.

In one of your former statements you stated that there was no midwife present; how is this?—I meant to say that the midwife did not come till after the child had made its appearance.

In a former deposition you stated that the "thalee" was not struck till after you had gone up with the ashes. You have now told us that you were down stairs collecting the ashes. Which of the two stories is true?—My first account is correct; at least I fancy so.

Was there any blood on the floor when you went up-stairs with the ashes?—Being short-sighted, I could not tell.

Did you wash any clothes for the Settanee after she went to her father?—No.

Then who washed them?—I do not know.

Did you, between the Shetjee's death and Joitabaee's going to her father's house, wash any clothes?—No.

Did her mother wash her clothes?—I do not know.

How long did you remain with Joiteebaee after the child appeared?—About 15 or 16 days I remained with Joiteebaee after her confinement.

After the child appeared, how many days elapsed before the wet-nurse was called in?—About a month.

Were you much in Joiteebaee's presence during the 16 days after the boy appeared?—Always in her presence, except when I went away on an errand.

Who suckled the child before the wet-nurse came?—I don't know.

Did

Did you never see the child suckled?—No.

Do you think that any person would believe that during a constant attendance of 16 days you could have failed to see the child receive its milk?—You may believe it, or not believe it, as you like; but I never saw the child receive its milk.

Were there any women in the mother's house who were in a suckling condition during these 16 days?—No.

How do you think the child was nourished during these 16 days?—I can't say how the child was nourished; its mother may have nourished it, or its grandmother.

Did you accompany her?—Yes.

Who else went with her?—Her cousin, Mankooer.

Did Punnee accompany her?—No. I don't know the woman.

When Joitabaee went to her father's house, was she confined in an upper or lower room?—In an upper room.

Did she walk up-stairs without assistance?—I, Joiteebaee's mother, and her cousin Mankooer carried her up-stairs.

Where did Larbaee and her cousin meet Joitabaee?—Joiteebaee's cousin, Mankooer, accompanied the Setanee from her husband's house; but the mother was at home, and came down stairs to receive her.

How long after Joitebaee came to her father's house was she confined?—I cannot recollect exactly, but she left her husband's house about eight or nine o'clock p. m., and was confined about midnight.

Were you present when Joitabaee was confined?—Yes.

Who else were there?—Muncha, Rewa, Larbaee, another woman called Mankooer, and the midwife, were there.

When was the midwife sent for?—As soon as the Setanee arrived, the midwife was sent for.

Do you recollect who was sent to call the midwife?—A servant went to call the midwife, by order of Larbaee.

Where was the child put after its birth?—The child was placed before her.

Was it a boy, or a girl?—A boy.

How long after the birth of the child did the after-birth come away?—About half a gurree (10 or 20 minutes) after.

Did Larbaee send any one for ashes?—Ashes were in the house, and I fetched them from an upper story.

What was done with the ashes?—They were thrown upon the blood and the after-birth.

Who threw them?—I gave the ashes to the midwife, and she strewed them.

Was the "thallee" struck on the birth of the child?—Yes, it was struck by Rewa woman.

Where were you when the "thallee" was struck?—I was in the room with Joitabaee.

In what room was the "thallee" struck?—In the pursal (verandah).

Was it before or after the birth of the child the ashes were brought?—After the birth of the child.

Where was Bhanabhoy at the time?—He was sitting in the lower persal of the house.

Was any medicine given to the Setanee after her confinement?—Yes, ginger, garlic, and the usual condiments were given to her.

Was a wet-nurse employed for the child?—No; Joiteebaee nursed the child herself for a month, or one month and a half; but when she was attacked with fever, she engaged a wet-nurse, by name Gunga.

Between the birth of the child and the arrival of the wet-nurse, were there any women about Joitabaee in a suckling state?—No.

How old was Larbaee's youngest child at the time of Joiteebaee's confinement?—She had a child about two months after Joiteebaee's marriage, which lived only six months.

How long after the death of Larbaee's child was Joitabaee confined?—A very long time, five or six years.

How long was Joitabaee married to the Shetjee?—About six or seven years.

Had Larbaee any other child subsequent to the one of whom you just spoke?—No.

Do you know Moteeram Vyed?—No.

Who was the physician at Hurree Bhugtee's?—Hurgeewun Vyed.

Have you seen Joitabaee nursing her child?—Yes, regularly.

Do you recollect Joitabaee's child having the small-pox?—Yes.

Did Joitabaee ever tell you that she had been told by any one to deny that she was ever pregnant?—No.

How many wet-nurses were engaged to suckle Joitabaee's child?—The first remained for about three months, but as her milk had dried up, another was engaged.

Who was in the habit of washing Joitabaee's clothes?—The servant.

Who informed Maha Luxmeebaee that Joitabaee had given birth to a son?—Hurrylal, the goomashta of Bhanabhoy, and on this occasion Mahaluxmeebaee distributed presents to the value of 1,500 or 2,000 rupees.

[Witness is dismissed.

(signed) *C. Griffith,*
Ensign, Interpreter.

IV.

EXAMINATION of woman Muncha; religion, Hindoo; caste, More Wanias; profession, her own domestic affairs; aged 42; inhabitant of Baroda; before a Committee of Medical Officers at the Residency, on 27th January 1851.

Question. Do you know Joetabhaee Settanee?—*Answer.* Yes.

How long have you known her?—I have lived in her neighbourhood for many years.

Had Joetabhaee ever a child?—Yes.

Tell what you know about it?—After the death of Shetjee, I used to go to Joetabhaee to weep, and she was then about five months pregnant.

How do you know that she was then pregnant?—When I used to go to Joetabhaee's to weep, she told me she was pregnant, and it was obvious from her appearance.

Have you been a mother?—Yes.

Had you borne children at the time you went to weep with Joetabhaee?—Four or five.

Did you know Mahluxmeebhaee?—Yes.

Did you see her at the time you went to weep with Joetabhaee?—Yes, of course, for they lived together.

Did Mahluxmeebhaee believe that Joetabhaee was with child?—Yes.

Did Joetabhaee ever tell you that any one had instructed her to say she was not pregnant, and to miscarry?—No; she never told me anything about it.

Were you present at the birth of the child?—Yes.

When did you go to the house on the day of Joetabhaee's confinement?—I went about midnight.

Who called you?—Ladbaee sent for me.

When you went there, whom did you find?—Joetabhaee, her mother, her grandmother, and her cousin, Mankoor, and the other Mankoover.

Was Rewa there?—She had reached a little before me.

Had Joetabhaee been delivered when you arrived there?—No.

Was any midwife there when you went?—No.

Was any midwife present when Joetabhaee was delivered?—Yes, one; by name, Tumnah.

Who sent for her?—She was sent before my arrival.

How long after your arrival did she come?—I don't know how long, but soon after my arrival.

Did the midwife arrive before or after the child was born?—Before the child was born.

When you went there, was Joetabhaee suffering?—Yes.

When you saw Joetabhaee, what did you think she was suffering from?—Labour pains.

Were they real labour pains?—Yes, real labour pains.

How long after the birth of the child did the after-birth come away?—About a ghurree, or half ghurree.

Who took away the after-birth?—The midwife took it away to bury it. I and Mankoover accompanied the midwife.

Is it customary to use ashes on the occasion of a woman's confinement?—Yes; for the purpose of throwing upon the after-birth.

Who brought the ashes?—Mankoover.

Was the "thalee" beat?—Yes, it was beat in the "pursal."

Did you see the child?—Yes.

Was the child a boy or a girl?—Boy.

Who washed the boy?—The midwife.

Had the child any unusual appearance at its birth?—No, it looked like all newly-born children.

Did you see much of Joitabaee after the birth of her child?—Yes, I saw her daily.

Who suckled the child?—Joitabaee.

Was not a wet-nurse employed?—Not until about a month and a half, when she had the fever, and her milk dried up.

Do you know Hurree Bhugtee's female servant Punnee?—I don't know her; but she may have been in the house.

Do you know Maturam Vynde?—No.

Do you know who was physician in Hurree Bhugtee's house?—There are many paid by the house, but I don't know their names.

Do you know who brought the usual condiments for Joitabaee's confinement?—I don't know.

How many days after the birth did the navel-string drop off?—It came away in about four or five days, and healed in about ten days.

Who was in the habit of dressing the navel-string after the child's birth?—It is not customary to dress the cord; but it was fastened with thread, which was tied round the child's neck, according to our custom.

[Witness is dismissed.

(signed) *C. Griffith,* Interpreter.

V.

EXAMINATION of Ladbaee; religion, Hindoo; caste, Wesular Waneea; profession, her own domestic affairs; aged about 38; inhabitant of Baroda; before the Committee of Medical Officers at the Residency, on 28th January 1851.

Question. IN what year was your daughter, Joetabaee, married to Samul Bechur?—*Answer.* In the month of Vysack, Sumvut 1895 (A.D. April 1839).

Have you had any children subsequent to your daughter's marriage?—I was pregnant at the time of Joetabaee's marriage.

How long afterwards were you confined?—About eight months afterwards.

How long did your child live?—Seven or eight months.

Have you had any children since?—No.

When did your daughter first tell you that she was pregnant?—I think about the third or fourth month.

Was the Shett aware that your daughter was with child?—The Shett was aware of it.

Can you prove this?—On several occasions he alluded to it when conversing with me.

Was the ceremony of the fifth month performed?—No.

Why not?—Because the Shettjee was dangerously ill.

Was the ceremony of the seventh month performed?—No.

Why not?—Because it is not the custom to perform the ceremony of "Huggurnee" should the father die before the seventh month.

When was Joitabaee's child born?—On Margsurvud 8th, Sumvut 1902 (A.D. 22 December 1845).

When did the Shett die?—On Bhadurwa Sood 2d, Sumvut 1901 (A.D. 3 September 1845).

Who were present when your daughter was confined?—Myself, my mother-in-law, Umbama, Muncha, Rewabaee, Jumna Daee, my niece Mankoover, and the other Mankoover, were present.

Was Punnee there?—No.

Do you know such a woman?—I am aware of such a woman being employed about the house of Hurree Bhugtee; she was so from living in the house of one of the goomastas.

Was she not employed to attend your daughter?—Not until Baba Nafra had imprisoned my daughter, when she was placed as a watch over her.

Who brought the usual condiments for your daughter and the child?—They were provided before by my husband, and I prepared and gave them to her.

Why did your daughter go to your house to be confined?—She did so because it is usual amongst us.

Who was aware, besides yourself, of your daughter being pregnant?—Mahluxmeebaee Setanee and others knew of it.

Did she talk openly of her pregnancy as ladies generally do?—*

Were you aware that your daughter menstruated after her pregnancy?—Yes, she told me so; I myself menstruate when I am pregnant. *S. O.*

Did Moteeram Vyed, or any one else, advise your daughter to deny her pregnancy?—I never heard it.

[Witness is dismissed.

(signed) *C. Griffith*, Interpreter.

VI.

EXAMINATION of Joiteebaee Settanee, Widow of the late Samul Bechur, of the Firm of Hurry Bhugtee; religion, Hindoo; caste, Veesular Bania; aged 22 years; inhabitant of Baroda, before a Committee of Medical Officers, assembled at the Residency on the 28th January 1851.

Question. How long were you married to the Sett before his death?—*Answer.* About six years.

When did you first know that you were pregnant?—About two or three months before my husband's death.

How did you first know it?—I had nausea, giddiness, &c.

Did you menstruate regularly before your pregnancy?—Yes.

Did Moteeram Vyed give medicine during the illness of the Settjee?—No, never.

Did you ever see him professionally on any other occasion?—No.

Did Maha Luxmeebaee ever express to you an opinion that you were not pregnant?—No.

Witness agrees to submit to a personal examination by Dr. Davey, and retires with her friends into another room for the purpose.

(signed) *C. Griffith*, Interpreter.

VII.

I HEREBY certify, that I have this day examined Joitabaee, the widow of the late Beechur Samuldas. My examination of this lady's person has satisfied me without a doubt that she hs been a mother.

(signed) *W. Davey,*
Assistant Surgeon, 17th Regt. N. I.

The Residency, Baroda,
18 January 1851.

Appendix (M.)

ANALYSIS of the principal Evidence adduced by Baba Nafra in support of his Charge against Joitabaee.

DISCREPANCIES in the Evidence of Baba Nafra and his Principal Witnesses.

BABA NAFRA—Discrepancies in his own Statements.

Deposition, No. 93, dated 29 Nov. 1847.

"Settanee Joitabaee's son was from Meitapoor, and there was rumour that he had been brought from thence. Mahaluxmeebaee must have heard of it; therefore she consulted me regarding sending Bhugwan. I told her she ought to do so, but secretly. * * I did not send Lulloo (to Meetapoor), giving him money, upon pretence that he was going to Outuria Mahadeo. I have stated that it was Mahaluxmeebaee that sent him."

No mention is made in the deposition of November 1847, of money having been paid to Lulloo, or any one else, to find out the parents of the supposed spurious child, and it was only on certain items of expenditure being found in the books of the firm in 1850, that Baba Nafra endeavoured to explain that expenditure. The entry alluded to by Baba Nafra, as entered on the firm accounts, is a blank entry, not in Lulloo's or in any other person's name. The transaction referred to took place on the 22d March 1847, as proved by the date of Rugnath's acquittance. Yet the date entry of the item of 15,000 rupees is 22 April 1847.

Deposition, No. 100, dated 18 Aug. 1850.

"The exact date is not known; but one day in winter, of Sumvut 1903, Lulloo Bhugwan told me that the person from whom Joitabhaee had taken the boy was discovered; upon which, I desired him to go and ascertain who the boy's parents were. He went, and after seven or eight days returned, saying, that a clue to the boy's parents was found out, but that 15,000 rupees will be required to be expended to effect the consummation of the case.

"Lulloo Bhugwan said that he would never give any information without giving him 15,000 rupees, which Mahaluxmeebaee ordered me to pay; when I delayed payment for two or three days, she said, 'What, have you a mind to get up another partner of mine? and ordered immediate payment, which was accordingly made. * * * One day while I and other Banians were sitting in Hurree Bhugtee's shop, the Meitapoor Kolie came, and said, in presence of us all, 'Our boy was taken for Joitee Settanee, but the money agreed on in the writing passed to us is not yet paid.' Upon this, I paid the 200 rupees, or thereabouts; took the writing back, and also an acquittance from them. Lulloo Bhugwan took 15,000 rupees for the expenses, as entered on the firm accounts."

N.B.—*See* also the unsatisfactory explanations of certain awkward admissions and discrepancies in Baba Nafra's statements, contained in his suppressed deposition, No. 102.

Discrepancies between Baba Nafra and his Witnesses, Mahaluxmeebaee and her Father, Wujjoobhaee.

Baba Nafra's Deposition, 100, dated 18 Aug. and 6 September 1850:—

"The late Maharaj having advised me not to expose myself, but have the inquiries made through Wujjoobhaee (Muhaluxmeebhaee's father.) I told the latter to do it, and to expend as far as 5,000 rupees, if required, to effect the object in view. * * *

"The Maharaj having thus doubted from the first the boy's birth, ordered me to inquire into the matter, which I communicated to Wujjoobhaee, who made further inquiries; but nothing was elicited.

Wujjoobhaee's Deposition, No. 24 (E.), dated 1 August 1850:—

"Baba Nafra never consulted my daughter or myself regarding this business (the spurious child). He was Mookliar, and did as he liked. Having given the child to a Kolie, he must know."

"Lulloo

Baba Nafra's Deposition, 100—*continued.*

"Lulloo Bhugwan said that he would never give any information without giving him 15,000 rupees, which Mahaluxmeebhaee ordered me to pay. When I delayed the payment for two or three days, she said, 'What, have you a mind to get up another partner of mine?' and ordered immediate payment of the same, which was accordingly made.

"Joitabaee Settanee made the confession of the boy not being born by her, of which I informed Mahaluxmeebaee and the Sirkar, who desired me to give the boy back, after taking a writing from Joitabhaee Settanee to that effect, which I did."

Baba Nafra's Deposition, No. 93, dated 29 November 1847.

"Settanee, Joitabaee's son, was from Meetapoor, and there was rumour that he had been brought from thence. Mahaluxmeebaee must have heard of it; therefore she consulted me regarding sending Lulloo Bhugwan. I told her she ought to do so, but secretly. * * * I did not send Lulloo (to Meetapoor), giving him money, upon pretension that he was going to Oontudia Mahadeo. I have stated that Mahaluxmeebaee had sent him." "Mahaluxmeebaee, the elder Settanee, did make inquiry ('as to whether Joitabaee was pregnant,') which is known to herself. I cannot speak on the subject.

"They (the Meetapoor Kolies) not having been paid, came to the bank, and because they were not paid, divulged the secret; and having said that Bhanabhaee had made out a paper, showed me a copy of it. I acquainted the elder Settanee with the affair, and, with her permission, took the deposition of Kolie Rugnath, and told him that I could not tell him anything at present regarding the payment till he would show me the original paper, which should be brought within 12 or 20 days.

"Mahaluxmeebaee ordered me to go to the dhurumsalla * * and return the boy."

Baba Nafra's Deposition, No. 93.

"Because Joitabaee had made the intrigue regarding the boy, possessed jewels, and was of a young age, therefore Mahaluxmeebaee gave orders not to allow strangers visiting her."

Mahaluxmeebhaee's Deposition, No. 103, dated 23 September 1850.

"I knew nothing of this (promise to pay Lulloo 15,000 rupees.)

Mahaluxmeebhaee's Deposition, No. 43 (F.), ddate 5 February 1851.

"Baba had paramount power, and consequently did what he pleased; therefore he never informed me how he gave the money (15,000 rupees) to Lulloo, neither did I ever say anything about this matter to the Baba.

"All the time the leekh (written confession) was being prepared, I was not near him; but it appears the Baba had gone to the Settanee late at night, for the purpose of getting such a leekh passed; but that night the Settanee gave no heed to what he said, and the next day the Baba again returned to Joitabaee, and got the leekh executed. This leekh the Baba got Bhugwan to write, and Dyashunker was made to attest it; this I learned from Baba himself down-stairs when I was seated.

Mahaluxmeebaee's Deposition, No. 43 (F.)

"I never from the first had been informed about the boy, neither did I instruct the Baba to depute Lulloo Bhugwan, and I know nothing about this matter."

Mahaluxmeebaee's Deposition, No. 103.

"No, he (Baba Nafra) did not ask me" (about sending Lulloo to Meetapoor.)

Mahaluxmeebaee Deposition, No. 43.

"In this matter I am quite ignorant what should have induced me to have doubts (of Joitabaee's pregnancy), and I had never entertained any suspicions regarding this matter."

With reference to this first visit to the bank, Rugnath thus refers to the original paper as having been presented on that occasion:—

Deposition No. 2, dated 25 February 1847.

"Therefore I am come here, and the leekh which was given me, please inspect, and bring about a settlement."

Mahaluxmeebaee's Deposition, No. 103.

"I know nothing in this matter," (in reply to the question whether the boy was given to the Amlyara people by her order).

Mahuluxmeebaee's Deposition, No. 43 (F.)

"I know nothing about this matter. My permission was neither obtained, nor did I send him" (to return the child).

Mahaluxmeebaee's Deposition, No. 43 (F.)

"I never gave instructions for a guard being placed to prevent anybody from having access to Joitabaee Settanee, and neither did I mention anything to the Baba on this point."

Baba Mahluxmeebaee

Baba Nafra's Deposition, No. 100, 18 August.

"Because Mahaluxmeebaee was very anxious to find out the real parents, Lulloo said he would never give correct information without giving him 15,000 rupees. * * * Lulloo Bhugwan said that he would never give any information without giving him 15,000 rupees, which Mahluxmeebhaee ordered to pay. When I delayed the payment two or three days, she said, 'What, have you a mind to get up another partner of mine?'" &c.

Mahluxmeebaee Deposition, No. 43 (F.)

Baba had paramount power, and consequently did what he pleased; therefore how he gave the money he never informed me, neither did I say anything regarding this matter to the Baba.

SETARAM JEMADAR.

Baba Nafra's Deposition, No. 100.

"Joitabaee had people of the Sett's firm for the guard. The Settanee, her mother, and others, managed to keep off my people."

Setaram's Deposition, No. 80, dated 2 September 1850.

States that his guards, viz., the guards of the firm subject to Baba Nafra's sole orders, were placed as guards over Settanee Joitabaee after the death of the Sett.

Baba Nafra's Deposition, No. 93.

"I further told her (Joitabaee) that the boy that is at Bhanabhaee's should be brought here; Joitabaee agreeing, sent Gunga to Bhanabhaee's to bring the boy; a sepoy and a massaul accompanied Gunga, who brought the boy."

Thus implying that the boy being sent for by Joitabaee was at once brought, no objections being made by any one. And this, in his former deposition, No. 96, dated 24 December 1847, Setaram is made to say

Thus, "As we went up-stairs we saw Bhanabhaee and the wet-nurse Khooshallee there seated, and Gunga said to them that she had been sent by the Setanee to bring the child: upon this, Bhanabaee said to Khooshallee, the wet-nurse, since Joitabaee has sent for the boy, take him to her. Upon this, Khooshallee took the child, and came down-stairs; the torch was lighted, and the whole of us left together upon our return."

Deposition, dated 10 July 1850.

"I, Bhugwandass and a sepoy went to the house of Bhanabhaee about noon, and remained near the door, which being shut, we caused to be opened, and Bhugwandass went into the house, and I also followed him in, where Bhugwandass ordered me to guard the whole of the inmates, and not to permit any one to leave the house. I was acting agreeably to those instructions; but notwithstanding, Joitabaee's mother effected her escape. * * *

"Bhugwandass returned to the shop, and sent other people, upon whose arrival I made over charge to them, and returned myself to the shop, when the sepoys on guard at Bhanabhaee's house shut the door, and remained there. The next day, at night, Bhugwandass called me to the Settanee, where Baba Nafra was seated in the dewankhana, who, together with us, went to the Settanee, when Baba told Joitabaee that the lad with her was the son of the Amleeara Tullavia, who had come to demand him. What reply the Settanee made I do not know; but Bhugwandass and Baba Sahib were both present, seated; and Baba said, as the wet-nurse, Gunga, would accompany me, I had better take Bhugwandass, to go to Bhanabaee's, and fetch the child, upon which we all went there. * * * Another wet-nurse was there, who took refuge with the child in a room, the door of which she closed, and chained; and because they would not open the door, the blacksmith was called to break it open. * * * Who sent for the blacksmith?—I do not recollect; but he attended with his tools, and broke a staple, and opened the door."

On this subject Gunga thus deposes in her examination at the Residency, No. 20, dated 18 July 1850:

"About midnight Baba Nafra bid me not to make the same known to Joitabaee, but that Seetaram Jemadar and Bhugwan were going to bring away the child from Bhanabaee's, and that I should go along with them, and tell them that Joitabaee had sent for the child; therefore, that they give him up, when I told the Baba that I would not go without acquainting the Settanee; but without heeding my words, and without permitting me to see the Settanee, he forced me to go. Still I refused to go, when, by the order of Nafra, Setaram, by shoving and pushing, compelled me to go. Therefore we three went to the house of Bhanabaee, and said that Joitabaee Settanee wanted the child, when Bhanabaee said that Joitabaee did not send for the child, and that he would lose his life but not permit the child to be taken away. He thus expressed himself; but Bhugwan and Seetaram sent for a blacksmith, who broke the staple of the door of the room in which the child and his nurse, Khooshallee, were confined, and took them away."

Discrepancies.

Discrepancies between Seetaram's Deposition, No. 96, dated 24 December 1847; No. 9, dated 10 and 17 July 1850; and No. 80, dated 8 September 1850.

Deposition No. 96, before the 1st Punchayet.

"I broke open no doors; Gunga had been sent by Joitabaee Settanee, and Gunga delivered to Bhanabhaee a message from Joitabaee; then what necessity existed for breaking open any doors? Gunga being considered as a confidential servant of the Settanee, Bhanabaee permitted the child to be taken away."

Deposition No. 9.

"Upon this Khooshallee took up the child (at Bhanabhaee's), and came down stairs; the torch was lighted, and the whole of us left together; upon our return about an hour afterwards, the child being in the arms of the nurse, she and Baba Nafra and Bhugwan came outside, and having, with myself, about 10 or 12 sepoys and a goldsmith with them, we all of us proceeded to the Sett's garden, after which the goldsmith stripped the child of its ornaments, and Baba Nafra delivered the child over to a Tullaveea, who, together with another, whose name I know not, met us in the garden; after which we all, including the Baba, left the place, and at 10 o'clock at night reached the guard at the Settjee's house, and Baba proceeded towards his own house."

Seetaram's Deposition, No. 96.

"Joitabaee Settanee sent for, and desired me to accompany Gunga woman to the house of Bhanabhaee and bring away from thence her son Moteelall."

No. 9 (F.), before the Resident.

"Another wet nurse was there (at Bhanabhaee's house) who took refuge with the child in a room, the door of which she closed and chained, and because they would not open the door, the blacksmith was called to break it open." * * * "Who sent (for the blacksmith) I do not recollect, but the blacksmith attended with his tools and broke open the door."

Deposition No. 80.

"Question by Punchayet: Where were you, when the child was taken at night, and given to the Amleeara people?—*Answer.** I was asleep at the great guard-room. * * * —*Answer.* "Yes, I was."

"When the child was given to the Amleeara people, were you near or at a distance?—I was near.

"Did either the Tullaveea or his wife say anything when receiving the child?—The Tullaveeya took the child, but said nothing. * * *

"Did the Baba say anything to the Tullaveeya, or *vice versâ*?—At the time of delivering the child Baba said to Tullaveeya, have you received the child, and the Tullaveeya replied, 'Yes, I have received him.' This is all that I heard. * * *

"When you left, was the Baba there seated, or did he also come away with you?—Baba left before me, afterwards I followed him."

Deposition No. 86.

"States that the Baba directed him to proceed with Gunga to bring the child away from Bhanabhaee's."

Discrepancies between Seetaram's and other Depositions.

Seetaram's Deposition, No. 96.

Joitabaee Settanee sent for and desired me to accompany Gunga woman to the house of Bhanabhaee, and bring away from thence her son Moteelall.

Gunga's Deposition, No. 79, before the Punchayet, dated 9th September 1850.

No, I was not ordered to do so by the Settanee, but Seetaram Jemadar and Bhugwan Mujmoodar asked me to accompany them to bring away the child.

GUNGA, WOMAN.

Deposition No. 79, before the Durbar, dated 9th September 1850 (withheld).

States, that when she informed Joitabaee of the removal of her son, she commenced weeping, and beat her breast, and abused the Baba.

In her deposition at the Residency, No. 20, dated 18th July 1850, Gunga states, "I secretly informed Joitabaee of all that had passed, upon hearing which she began weeping and beating her head and breast, and became much distressed."

* * * "Khooshallee informed me that the child had been forcibly taken from her and delivered over to some kolies by the Baba, at which time the child would not leave his nurse, and cried very much, but that Baba forcibly snatched him from the nurse, and gave him to the kolies; and when Khooshallee was giving me the above details, the Settanee also heard it, and began to weep and lament very much, when I again consoled and kept her quiet."

Gunga, in her Deposition, No. 83, dated 22d December 1847 (not withheld), states,

"I also went to Joitabaee Settanee, and intimated to her of the child having been conveyed away, but she made no answer."

On this point Gunga is represented to have stated, in her Deposition of the 22d December 1847,

"The Khooshallee returned in about half or three-quarters of an hour, when I inquired of her about the child, when she informed me that the boy had been delivered to a kolie and kolies, who were at the Sett's garden, but I do not know whether she said anything to Joitabaee or not on this subject."

MOTTEERAM, NATIVE DOCTOR.

Deposition No. 79, dated 24th September 1848.

"Joitabaee Settanee publicly declared that she was enceinte, consequent upon which it became circulated all over the city, wherefore the elder Settanee, Mahaluxmeebaee, sent for and requested me, as I was old, to advise her in any thing she might do wrong; and that Joitabaee, in many ways, was promulgating that she was with child, but as such a falsehood was calculated to disgrace the Sett's name, she requested me to advise and persuade the Settanee against circulating such a foul untruth."

Mahluxmeebaee's Deposition, No. 43 (F.)

"If the Baba had so deputed him (Motteeram to Joitabaee), he should know; as for my part, I know nothing about it."

N.B.—The Medical Committee's Report (L.) exposes the utter falsehood of this witness's testimony.

DESSAI DYASHUNKER.

Deposition No. 99, dated 24th September 1848.

"I had seen this boy, Moteelall, frequently at the Sett's house, and at the Mundeer and other places, where Bhanabhaee used to bring him for the "dursun" of the gods, but there were no pockmarks upon his person."

Gunga's Deposition, No. 83, dated 22d December 1847.

"The Moteelall had slight marks (of small pox) left upon his face and body."

Discrepancies in the Evidence relating to the Meitapoor Branch of the Case.

PHOOLEE, WOMAN OF BARODA.

No. 1. Deposition taken by Baba Nafra at Hurree Bhugtee's on the 25th February 1847.

States that the Meitapoor Kolie Ruguath had come to Baroda, when she spoke to him about procuring a boy, and that he then informed her his wife was pregnant. That about two months afterwards he returned to Baroda, and informed her that the time for his wife's delivery was at hand, and that if she brought forth a boy he would bring the child to her.

States that Rugnath came at once to her house, accompanied by another man carrying the boy in a basket (without any intermediate intimation of the birth of the child).

States that when Rugunath had brought the boy to her house she went to inform Larbaee, who told her to hasten to bring the boy, upon which she informed Larbaee that it was necessary to give a writing to the kolie, besides 100 rupees in cash, and that the remainder could be given afterwards, which Larbaee promised to comply with when she could see Joitabaee, &c., upon which she (Phoolee) returned to her house and caused the child to be carried with her to the house of Larbaee.

No. 5. Examination before the 1st Punchayet in 1848.

States that two months after her first conversation with Rugnath she went to Meitapoor to inquire of Rugnath what he had done about getting a boy for her; and that Rugnath replied, that there would yet be a delay of about a month or fifteen days, but that as soon as the boy was born, he would let her have him; that she then returned to Baroda.

States that Rugnath first came to apprize her of his wife having given birth to a son, and that then she having informed Larbaee and arranged with her, told Rugunath to bring the boy; and that, on the second or third day afterwards, the child was brought, carried in a basket by another person.

Though far more full than the first deposition, and so glibly detailing the most minute particulars, extending through five closely-written pages, without halt or break, or any of these minute particulars being elicited by a single question, leading to the inference that the deposition had been previously written out (before the witness appeared before the Punchayet), no mention is made of this important discussion with Larbaee between the time of the boy being brought to Baroda and being made over to Larbaee.

Discrepancies and other Causes of Suspicion in Phoolie's Statements.

1. The improbability that Larbaee, a high caste sowcarree lady of respectability, could have been on the intimate terms with a low caste kolie woman, and day labourer, which the latter represents them to have been on together.

2. The improbability that Larbaee, if she had admitted such a woman to her confidence, and placed herself in her power by obtaining a false child through her, should have exposed herself to the certainty of being denounced by such a person and her associate, Rugnath, by

by refusing to fulfil the engagement by which she had obtained the child, little more than two months (as stated by Phoolee) after purchasing the boy. The more especially, if, as stated by Phoolee, she had further committed herself by giving a written bond for the payment of 200 rupees annually to Kolie Rugunath.

3. The improbability that, if Larbaee had thus obtained a boy through the agency of Phoolee, she should, as stated by Phoolee in her second deposition, have failed to reward her (Phoolee) in any way whatever, after having promised to "satisfy and please her;" and yet this woman, who pretends to have been in the confidence of Larbaee, and to have had nothing to say to Baba Nafra, is paid by the latter a sum of 45 rupees, which charge on their account is thus protested against by the firm: "This amount is stated to have been paid to Phoolee, woman, on account of her wages; but this woman had not been employed in the firm, consequently this disbursement is inadmissible."

4. The improbability that, if Larbaee had procured one kolie child through ready Phoolie, and that that child having died, she should have sought a second infant through other people, thereby increasing the chance of disclosure, instead of again employing Phoolie.

5. The improbability that had a second infant been obtained through a different channel, Larbaee should have again placed herself in the power of Phoolie (to whom she had given nothing, as promised), by telling her that the first child being dead, she was now possessed of a second false child; whereas, had she really procured another, would she not have passed it off as the same, to a person cognizant only of the first changeling, who was not likely to have been able to detect the imposture, and was little likely to suspect it, having merely passed the infant to Radhabaee "in a basket" two months before?

Discrepancies between Phoolee, Woman's Statement, and that of Kolie Rugnath.

Phoolie Woman:	No. 2. Kolie Rugunath.
States that she went to Meitapoor to inquire what had been done about the child, about a month and a half after the first engagement between them (an intermediate communication having passed between them). No. 1. Phoolie, in her first deposition, says nothing about this intermediate interview; on the contrary, states that Ruggoonath at once brought the child as she had instructed him. "I replied, that as soon as the child was born it would be necessary to bring it; *** many days afterwards he brought with him the boy," &c.	States that in consequence of Phoolie sending word to him (not herself going to Meitapoor), he went the second time to Baroda, to announce that the child was about to be born (no intermediate communication having passed between them). No. 1. Kolee Ruggoonath states that he came to Baroda to inform Phoolee that his wife had brought forth a son, and that, as told by Phoolee, he subsequently brought the child.

Ruggoonath states (No. 1) that Phoolee had sent word to him a second time; Phoolee makes no mention of this.

Ruggoonath states that Phoolee informed him, a boy being wanted, if any female was enceinte, to bring her to Baroda. Phoolee makes no mention of this.

The deposition No. 5, before the Punchayet, has every appearance of having been prepared beforehand, occupying five closely written pages, without a break; full of minute particulars, which it is impossible she could have remembered unless elicited by questions. Moreover, this, and all the depositions before the first Punchayet, are written in the same hand (that of Hurree Punt); neither is there any mention on these depositions, as is always usual and necessary, as to before whom these depositions were taken.

RUGUNATH KOLIE, OF MEITAPOOR.

Discrepancies between his Statement and that of Phoolee, Woman.

No. 2. Deposition of Rugunath Kolie, taken by Baba Nafra, at Hurree Bhugtee's, dated 25 September 1847.	No. 5. Deposition of Phoolie, woman, taken before the first punchayet, on the 18th September 1848.
States, that "in a few days my wife was delivered of a son, and immediately I took the new-born babe and put him in a basket, and got Kolie Guman to take the basket on his head, and we came to the house of Pholie (at Baroda)."	States that after Rugunath's wife was delivered he came to Baroda, to inform her (Phoolie) of the circumstance; that he first ascertained from her the nature of the reward he was to receive, who, having assured him that he was to receive 200 rupees annually, he then returned to Meitapoor, and brought the child from thence.

Subsequently, in his Deposition No. 6, taken before the first punchayet, on the 10th November 1847, he repeats nearly word for word the statement of Phoolie, here given; but the same causes of suspicion as to the preparation of this statement exists, as described with reference to that of Phoolie, No. 5.

Discrepancies between Rugunath's Statement, No. 2, taken by Baba Nafra, and No. 6, taken by the Punchayet.

In No. 2. States that his wife, being delivered of a son, he immediately took him to Baroda in a basket, carried by Guman.	In No. 6. States that after the birth of his son he went to Baroda to inform Phoolie of the circumstance, and then returned to fetch the child.

Discrepancy between Rugunath's statement, No. 6, and Kolie Guman, No. 10.

No. 6. Kolie Rugunath states, that it was on their return from Baroda that he imposed the oath on the River Myhe on Guman, not to disclose anything regarding the delivery of the boy.	No. 10. Kolie Guman states, that it was on his way to Baroda with the child that Rugunath imposed the oath on the River Myhe, not to say anything connected with the delivery of the boy.

But it is unnecessary to trace further the discrepancies in the statements of this witness before the first Punchayet, all his accomplices in the plot belonging to Meetapoor and Jessupoor, having disclosed how they, as well as Rugunath, were bribed to make the false statements placed by Baba Nafa before the first punchayet. And though Rugunath himself having left his village, and gone no one knows whither, was not produced before me, his wife* was and deposed to the fact of her husband and herself having been induced to enact the false parents by a bribe of 100 rupees.

Rulleat.

Their depositions before the first Punchayet are numbered 6, 7, 8, 9, 10 and 11 of Appendix (H.); those before the second Punchayet were numbered 22, 23, 24, 25, 26 and 27 of (H.) Those before the Resident, Nos. 25, 26, 27, 28, 29 and 30 of Appendix (F.) Jessapoor and Meitapoor Kolies, Nos. 7, 8, 9, 10, 11 of Appendix (H.); Nos. 14, 15, 16, 17, 18 and 19 of Appendix (F.), and Nos. 22, 23, 24, 25, 26 and 27 of (H.)

It is unnecessary to contrast their depositions before the first Punchayet, Nos. 7, 8, 9, 10 and 11, with those of Baba Nafra, as in their subsequent statements they declare the former to be utterly false, and to have been directed by the Baba himself. But I would call attention to the following testimony which they were made to give in those depositions, in order to contrast it with the reply of all the heads of Joitabaee's caste, to a question I caused to be put to them through the Durbar as to the ground of their asserted expulsion of Joitabaee and her child from the caste.

Thakoor Jeetsing was made to state as follows, and the same was repeated nearly verbatim in all the other first depositions :

" When was made this affair known in the first instance, 10 or 15 Bunians were present, seated, who made me report to them the particulars of the affair about the boy. And when I went again a second time to Hurree Bhugtee's, the Setjees of the Mahajuns were sent for, who, when they came, made me repeat the above particulars to them; and upon my doing so the Mahajuns said, 'In the caste of us Banians a kolie son has been received, which is a very improper act,' " &c.

Depositions of the principal Setts of Joitabaee's caste, dated 29 January 1850, forwarded with his Highness' yad, dated 30 January (*vide* No. 30, Appendix (J.)

" In the year St. 1903 (A.D. 1847), the date is not known, but one day Baba sent for us, about 25 persons of our caste, and merely asked us if we would admit a kolie's son in our caste; we replied, that a Banian would never keep a kolie's son as his own. Thus, in an ambiguous way Baba put the question to us; but what boy, of what kolie, and how brought, and whether the boy was really a kolie's son or not, no one told us of it; and the parents of the boy were not sent for, nor any inquiry instituted for our satisfaction. We were merely asked if we would admit a kolie's son; we replied in the negative. Baba himself made over the Settanee's son to the kolie, at which time we were not present, nor can we satisfactorily say whether the boy was a kolie or not."

Discrepancies in the Evidence relating to the Amleeara branch of the Case.

PUNNEE, WOMAN.

As this is the most important witness brought forward against Joiteebaee, it is requisite closely to examine her evidence. She appears to have been one of the first of Joiteebaee's domestic servants gained over by the Settanee's persecutors, as I find her first deposition taken by the Baba Nafra on the 23d March 1847, about one month after the alleged discovery of the imposition of the false child.

On this first occasion of delivering her testimony (which, as usual with all the first depositions taken by Baba Nafra, is written without a single break or question being put; and, as usual, in the handwriting of the Baba's confidential agent, Vrizbookun), Punnee tells a long story, as containing everything relating to the matter, to the effect that the late Beechur Bhaee had suspected Joiteebaee of infidelity, taxed her with it, and beat her till she confessed it, and caused the person with whom she was supposed to have had improper intercourse

intercourse to be confined, who was, however, afterwards released at the request of the elder Settanee, in consequence of Joiteebaee having caused her to effect it. That the elder Settanee had said that the Shett took this so much to heart that from that day he never eat his meals heartily; from which circumstance he became unwell and died. (All this Punnee states on the authority of the elder Settanee, Luxmeebaee). But she (the Settanee) says nothing at all of this in her yad dated 5 September 1847, by which time, as will hereafter be seen, a different tactic had been adopted. She (Punnee) then goes on to say, that about five or six days after the Shett's death Joiteebaee declared herself to be with child, but that seven days after the Shett's death she had had the "menses," and that the elder widow "sent for Moteeram, doctor, and Tribhovun Josee, and told them that as both are old and true people, they should go to Joiteebaee. On this they went, and sat on one side. At this time I heard Joiteebaee tell Moteeram and Tribhovun Jossee that it is all false" (her being with child). In this way "she confessed." (In confirmation of this, a deposition of Luxmebaee, afterwards denied by her, dated 10 December 1847, and of the native doctor, dated 24 September 1848, a paid servant of Baba Nafra.) Is it likely that Joiteebaee would have confessed such a thing, or that, if she had done so, the child brought forth three months afterwards would have been allowed to pass unquestioned for a whole year after its birth? Moreover, Luxmeebaee made no mention of this in her previous yad of the 5th September 1847.

Punnee continues, that "on a night, about three months and a half after the Shett's death, about a midnight, Joiteebaee went to her house. I went also and sat in a room. Ludbaee come to the door, and told me to bring some ashes from down stairs, after sifting it. Accordingly I went to the gate of Nursingjee's Pole for the ashes; but if anything was brought from the door leading to Bazvara, or by some other means, Ladbaee must know. I went to collect ashes, but I got none, and while I was in search for it Ladbhaee called out to me, so I went up stairs and found a boy lying on the floor. Ladbaee was sitting near him, and Joitabaee was sitting on a stool close to the child, at which time there was no midwife nor anyone else."

This is the whole substance of Punnee's first statement, which, however, was suppressed, and evidently for the following reasons:—

First. The tale of the incontinence of the Settanee, which appears to have been first got up in March 1847, with a view to malign the unfortunate woman, it was deemed, on further consideration, prudent to abandon; consequently this calumny is not repeated in any of the depositions subsequently dictated by Baba, and given in before the Punchayet. Thus no mention of it is made in Punnee's second deposition of the 18th September 1848 (No. 8 and 48), or in any of Mahluxmee's depositions, the first of which is dated 5 September 1847.

Secondly. Punnee's first deposition professed to contain all the information she possessed at the time it was written, but there was no allusion therein to the pretended writings said to have been passed between Joitabaee Settanee and Baba Nafra, the former confessing that the child was spurious, the latter promising a stipend of 200 rupees annually should be settled on them (Joitabaee and her parents). In order to establish obvious afterthought, it became necessary to suppress the first deposition, as it would have shown the impossibility that so important an event as the writing and delivery by Joiteebaee of a confession of her guilt could have been forgotten in the single day which had intervened between the date of Joiteebaee's asserted confession (21st March 1847) and that of Punnee's deposition (23d March 1847).

I now proceed to point out a few of the many discrepancies exhibited in Punnee's first, second, and third deposition. The narrative portions being prepared by the same party (Baba Nafra's confidential clerk, Brizbookun), of course agree tolerably well. It is generally the unpremeditated replies to questions put by the Punchayet which let out these discrepancies, without perhaps that court observing them.

Punnee's suppressed deposition, dated 25 March 1847, No. *, states that when she was down stairs searching for ashes, Ladbaee called her up stairs, and that then she became aware of the presence of the infant by seeing it lying on the floor.

Punnee's deposition, dated 30 August 1848, No. 78, states that she was sent down stairs to bring ashes, where she learnt that Settanee had been delivered of a son. * *S. O.*

Again, in her third deposition, dated 18 September 1848, No. 48, she states, "I went down stairs to do so, but as I could not find any ashes, some time elapsed, whereupon Ladbaee called to me, and I returned up stairs. Upon my doing so I found an infant lying upon his back on the floor."

In the deposition, No. 75/48, she states that having accompanied Joiteebaee to her father's house, "she sat in a room, where Ladbaee came to the door of the room, and told me to bring some ashes from down stairs, after sifting the same. Accordingly I went."

In deposition No. 78, she says she accompanied Joiteebaee, and after the "Settanee's arrival at her father's house, seated in one of the rooms, she (Joiteebaee) sent me to fetch some ashes; upon which I went down stairs."

In deposition 48 she says she "followed her (Joiteebaee) there, and saw the Settanee (Joiteebaee) and Ladbaee seated in a room upon the upper floor. Ladbaee directed me to bring some ashes," &c., and again, "When I arrived, the Settanee (Joitabaee) was seated upon the upper floor, and Larbaee was with her."

In deposition 75 she states that when she went up stairs and found the infant on the floor, there was no midwife or anyone else there besides Joitabaee and her mother.

In deposition 48 she states that "Ladbaee's sister's daughter was there in the room, sick at the time, who got up and drummed on a thalee." (The customary mode of announcing the birth of a child.)

Punnee, in deposition 48, states that no persons were present excepting Ladbaee when the infant first appeared, but the umbilical cord was not attached; that the infant exhibited no marks of his being recently delivered; that consequently she suspected that Joitabaee had not been accouched, &c.

Muncha, woman, in deposition No. 86 (taken by the first punchayet), states, "On the 22d December 1845, about after midnight, Rewa, woman, said Ladbaee is calling. Thereupon I went there, and found Ladbaee and Joitabaee Settanee, Ambabaee Rewa, and Jumna, midwife, were seated in the upper story, and I also went in and seated myself amongst them, and about two ghurrees (three quarters of an hour) afterwards, Joitabaee was delivered of a son, and the midwife, Jumna, separated the infant's umbilical cord, after which I returned home."

This statement of Muncha is corroborated by Rewa, woman, as well as Larbaee and Ambabaee, who, however, being mother and grandmother of Joitabaee, are not considered trustworthy evidence by the punchayet. The only other woman present on the occasion, Jumna, the midwife, is dead, and was never examined; but her husband, Becher (a barber), No. 87, deposed before the punchayet that when he returned from Ahmedabad, where he had gone at the time of the occurrence, he was informed by his wife that she had delivered Joitabaee, and was rewarded with six rupees.

In her deposition, No. 48, Punnee states that Joitabaee having told her to call Baba Nafra, confessed to him, that the boy was not hers, and requested him "to send for Dada Meeya Havildar, to direct him to return the boy to the parties from whom he procured him;" whereupon she (Punnee) was sent to the havildar with this message, and returned to inform the Settanee "that the havildar promised to do so;" whereupon Baba Nafra said (so and so) to the Settanee, and the Settanee replied (so and so), and confessed further, that the boy was not her son; and that after the above conversation (in which nothing was said about provision for her parents, and after the interchange of communications with the havildar), Baba wrote (at the same interview) "and gave the Settanee a lekh (writing); and the Settanee also passed a lekh to the Baba," &c. * * "And the same night on which the above took place the boy Moteelall was caused to be carried by his nurse. * * * And the boy was taken away for the ostensible purpose of being returned to his parents."

In her deposition, No. 78, Punnee states that Joitabaee having told her to call Baba Nafra, confessed to him that the boy was not hers; upon which the Baba "advised her to send for the boy and have him restored to his parents. The Settanee said she would do so, provided he would pass a paper settling upon her father a stipend of 200 rupees annually, to be paid by the dessar, which the Baba promised to do the following day; whereupon the Settanee sent Gunga to bring the boy, &c. * * * Gunga returned with the boy (who, however, without the Settanee being permitted to see it), the Baba sent and located," &c.

The conversation above referred to as having passed before the lekhs (or writing) were interchanged between the Baba and Joitabaee, and before the boy was sent for, was as follows:—

In the deposition 78, this conversation is introduced as having occurred the day after the confession, interchange of writings, and bringing the boy, thus:—

"Baba Nafra said to the Settanee that she was his mother, and what was destined had happened; therefore for the future she should conduct herself with rectitude. To this the Settanee replied that she had no hand in bringing the boy, but that her parents had done so, therefore that they should be held responsible; and she confessed further that the boy was not her son."

"The next morning Baba came to Joitabaee, and Joitabaee informed him that the boy was not her son, when the Baba replied, You are my mother, what had been destined has come to pass; and after saying this he went away, and in the evening he returned to the Settanee and informed her that she should find out from Dada (havildar) to whom the boy belonged, and have him restored. The Settanee answered that she would not do so herself, and immediately sent me to Dada Havildar."

In her deposition 48, Punnee says, "having got him to swear by his Koran, Roza, and by the sins which caused the famine of Sumt. 1869."

In her deposition, No. 78, Punnee says she swore him upon the oath of "your Raza, Peer, and God."

Discrepancies

Discrepancies between Punnee's Statement and those of others.

In her deposition, No. 48, Punnee states that the child was taken by his nurse (whose name she does not recollect), and some men, for the purpose of being delivered to his parents.	Dada Havildar, in his deposition, No. 40, states, that after the child had been divested of its ornaments, it was carried by Punnee and a servant to the garden, and by them delivered to the Amulliara people.
In her deposition 48, Punnee states that Joitabaee ordered Gunga to bring the boy.	Gunga, in her deposition, No. 79 (suppressed), on the question being put to her, replied, " No, I was not ordered to do so by the Settanee, but Settaram Jemidar and Bhugwan Muzmoodar asked me to accompany them, therefore I went."
Punnee, in her deposition, No. 78, states that Joitabaee sent Gunga for the child of her own free will.	Gunga, in her suppressed deposition, No. 79, declares that when she mentioned to Joitabaee that the child had been brought away (from her father's house), " she commenced weeping, and beat her breast, and abused the Baba."
In deposition No. 48, Punnee states that Joitabaee sent her to Dada Havildar, who was at the old house, and having caused her to take an oath, delivered her message.	Dada Havildar, in his deposition, No. 73, taken by the Punchayet, states that Baba Nafra had sent for him to the house occupied by Joitabaee, and placed him opposite to the staircase leading to Joitabaee's apartment, and instructed him what answers to give to Punnee's questions, who stood on the staircase, and that her questions and his answers were given as the Baba had dictated, he then being imprisoned and acting under compulsion.
In deposition No. 78, Punnee states that on the occasion of her having gone to Dada Meeya, and given the oath, &c., Bhugwan and herself alone were present (this having been written in September 1848, when Bhugwan was still in Baba Nafra's confidence).	Dada Meeya, in deposition No. 73, denies that any oath was administered, or that she came to him at the old house, he having been sent for to the house occupied by the Settanee (as above stated), and declares that when Punnee questioned him, no persons were present except Baba Nafra and an Arab, at a distance (*i.e.* out of sight).
In deposition No. 78, Punnee states th t she used to give the child to Joitabaee, but that she never witnessed her suckling him.	The wet-nurse, in her deposition, No. 83, states that she saw Joitabaee suckling the child twice and thrice.
In deposition No. 48, Punnee states that Baba Nafra, Dyasunkur Dessaee, Bhugwan and herself were present when Joitabaee gave her written confession.	Bhugwan, in his deposition before the punchayet, No. 101, states that Baba Nafra Jemadar Setaram and himself only were present on the occasion of his writing the said paper.
In her deposition No. 78, Punnee states that when Gunga brought the child, it was placed in the veranda before the mundur.	Bhugwan, in deposition No. 101, states that the child was placed in the " Thakoor's Bhundar," that two sentries were placed over it and its nurse, and that two sentries were placed over the room occupied by Joitabaee, of which the windows were barricaded with iron bars.

For further evidence of the utter worthlessness of this witness, I refer to her examination by the medical committee, Appendix (L). But before parting with Punnee, I may give a few proofs of the unwarrantable manner in which she has made use of the name of her elder mistress, the Settanee Luxmeebaee.

Punnee's suppressed Deposition of the 23d March 1847.

" On the day the Sett died, Joitabaee told the elder Settanee 'to release Narain, servant, from confinement; by not doing so, she suffers much in her character; that in future she will do nothing without her wish.' As the Sett's mouth was closed, the elder Settanee became alarmed; she answered the younger Settanee in the affirmative. The goomasta was accordingly directed to release Narrain, who was set at liberty."

Mahaluxmeebaee's Deposition, No. 43 (F.), dated 4 September 1850.

" Yes, he (the Sett) caused Narrain to be imprisoned; Narrain having got up a false plot in the firm, he was caused to be imprisoned. After the death of the Settjee, this individual was released by Baba. Nobody ever spoke to me about getting him released, neither was I consulted previous to his being released."

" After

Question

"After five or six days (after the Sett's death), while weeping, Joitabaee began to say that she was pregnant. In this way she spread the report. The elder Settanee Mahaluxmeebaee hearing of this, said that when the Sett first heard the report about Narrain, from that day he felt much displeased, and directed that some sepoys, but old in age, be kept as guards over her, and placed Narrain in confinement. And the Sett beat the younger Settanee well, at which time the Settanee acknowledged and took her oath, it is true that I have 'committed this fault, but in future, if I be guilty again, do what you like with me; even now do as you like.'"

Question put to Mahaluxmeebaee.

"Was this individual ever beaten in consequence of his familiarity with Joitabaee Settanee?"—*Answer.* "If the Sett had done so, how should I know? I have no recollection about it."

"Afterwards Moteeram Vyud and Trebawun Josee were sent for by the elder Settanee, who told them that as both are old and true people they should go to Joitabaee; on this they went on one side, and I overheard Joitabaee tell Moteeram, doctor, and Trebawan Josee that it is all false."

Question, to Maha Luxmeebaee.

"Had you ever deputed Moteeram Vyud to examine and ascertain whether Joitabaee was really pregnant or not?"—*Answer.* "If the Baba had so despatched him, he should know; I know nothing about it."

Question. "Had you ever deputed Trebowan Josee on this mission?"—"I never sent him, but if the Baba had done so, he should know."

Dhullea, Tullaveya, Dhadoo, his wife, and Jooria Jusla, kholies of Amleara, and Dadah Meah Havildar.

In deposition dated 9 March 1847 (No. 32), taken by Baba Nafra, and in subsequent deposition before the punchayet (No. 41), Dhullea states that the infant given by him to Joitabaee was two months old at the time, and his wife, Dhadoo, tells the same story in her first deposition before the punchayet (No. 44).

In Dhullea's deposition before the Durbar (No. 74), and in Dhadoo's deposition (No. 75), they state that the infant was five days old when given.

In Dhulleah's deposition, taken at the Durbar (No. 74), and in his subsequent deposition taken before the Durbar (No. 73), he states that "about nine, or half-past 10 o'clock, after the whole of the villagers had retired to rest, the infant was given to Dadah Havildar by the back way (at Amleara).

In Dadah Havildar's first deposition before the punchayet (No. 40), it is stated that the infant was brought (from Amleara) to the Nursingjee's Pole in Baroda, about eight o'clock at night.

In the depositions of Dulleah, Jooria, and Dhadoo (Nos. 32, 33, 34), taken by Baba Nafra, it is stated that "Dadah Havildar stood before the outlet of the yard (of Dulleah's house), and Jooria having come (from the havildar) to them into the house, we took and delivered the child."

Dulleah, in his deposition before the Durbar (No. 74), states, "the havildar having come to my house by the back way, I took the infant from my wife Dhadoo, and went with Dadahbhaee; and after having delivered the infant I returned to my house, and the havildar went away.

Dulleah's deposition before the punchayet (No. 41) states, "Myself and Jooria were asleep in the grain-yard, when suddenly we were pounced upon and captured by certain Arabs, who had come from Baroda, and my wife also was brought by them from my house, and having captured us, the whole of us were conveyed at midnight to Baroda, and kept under surveillance in Hurree Bhugtee's garden.

Eshwur Patel, in his deposition before the punchayet (No. 50) states, "Dulleah, Jooria, and Dhadoo woman, Arabs from Baroda, had come in quest of. Having sent for these persons, I delivered them."

Dhulleah, in his deposition 32 (before Baba Nafra), states, "The havildar came to my house, and agreed to give me 100 rupees for my son, and also to extend his kindness towards me."

In deposition 74, before the Durbar, he states, "This was mooted to me by the havildar in the said grain-yard, when I answered that I would consider about it, and let him have my answer; after which, in evening, I met the havildar in the fields, and he asked me to let him have the boy."

In Jooria

In deposition 74 Dulleah states, "I had been instructed by the havildar to come and await his return at the wood-apple tree, and accordingly I went there and waited, and the havildar having returned from Baroda, got off his mare, and gave me 100 rupees at a little distance from the wood-apple tree;" there is no mention of Jooria being with him.

Jooria, in deposition No. 34, (by Baba Nafra) states, "Myself and Dulleah had gone to meet the havildar upon his return from Baroda, whither he had gone, and we met at the village confines, riding upon a mare; he got off, and gave me the mare to hold, and having taken Dulleah aside, sat with him apart and conversed."

These are a few of the discrepancies in the evidence of the three individuals on whose testimony (and that of Punnee, previously considered), the Amleara invention almost entirely rests; testimony which was distinctly proved before me, not only by their own confessions, Nos. 8, 14, 21 and 22 of (F.), but by the evidence of others, to have been obtained from them by Baba Nafra through bribery and threats. Yet to this evidence the punchayet give full weight, notwithstanding their utter denial before me of the truth of their former statements, of which they take no notice because the three kholies, Dhulleah, his wife, and Jooria were again induced by the same influences which extorted their first false testimony, again to forswear themselves, and to revert to their original story; and this, notwithstanding that Dadah Havildar adhered to the testimony he gave at the residency (*vide* his deposition (No. 72 H.), in spite of all the efforts of the Baba's friends to bribe, bully and cajole him into a recantation of that testimony (*vide* No. 39 F.)

It is unnecessary further to scrutinize the evidence of these doubly forsworn kholies. But I may as well notice the assertions made in their last statements before the durbar, to the effect that, when their depositions were taken at the residency, they had merely been questioned by the carkoon as to the boy being returned to them by Baba Nafra, and therefore that they had deponed only to what had transpired after that event, but that Lulloo Bugwan caused a changed version of what they had stated to be written down; and I may also notice the declaration put into the mouth of the woman, to the effect that the carkoons obliged her to depose to the same effect as what they had written for her husband, notwithstanding her "protest against what was therein inserted." In reference to these statements, I have only to observe that they are utterly false, every word of the deposition taken at the residency having been stated by the kholies, and written down in my presence; and what is more, the punchayet were perfectly well aware that such was the case when they were pleased to record, without questions, the false depositions made by, or attributed to, the kholies, in their examination before themselves. That they were aware of the fact I have a right to assume, for I know that their proceedings from first to last were conducted in presence of the minister, whom I had enlightened on the subject, in consequence of his having mentioned to me the purport of what the kholies had deposed on an occasion of his visiting me shortly afterwards. I then asked him how he understood, from what the kholies said, the depositions had been taken at the residency. In reply, he supposed they had been written out in the office, and then brought to me to be read over and signed by the witnesses in my presence. I told him that such was not my mode of taking evidence, and informed him how it really was taken; and in proof, pointed out the long string of questions to Dulleah and his wife, every one of which I myself had put to them. The minister thereupon expressed himself convinced that the kholies had been tampered with, as the evidence they had just given before the punchayet was so entirely opposed to fact, and he affected to be very angry with Sumbooram Kotwall (who was present at the interview) for not pointing out to him the fact of my cross-examination of the kholies, copies of their depositions being before the punchayet. He then declared that their worthless testimony should not be recorded on the punchayet's proceedings, but I insisted that they should be recorded, leaving it to that body to take such notice as they pleased of the facts which had thus come to his (the minister's) knowledge.

The following witnesses, whose evidence had been recorded by Baba Nafra before the first punchayet in 1848, could not be produced at the residency in 1850, having died in the interim; viz.,

Dessai Dya Shunkur.
Trebowran Jossie.
Woman Kooshallee (wet-nurse.)
„ Jumna (midwife.)
„ Phoolie.
„ Rewa.

Baroda Residency, 31 March 1851. (signed) *J. Outram*, Resident.

Appendix (N.)

EVIDENCE regarding Joitabaee's pretended Confession.

THE following paper was laid before the first punchayet by Baba Nafra, asserted to have been dictated and signed by Joitabaee Settanee, and purporting to have been dated the 21st March 1847.

"I, with free will and sound mind, declare that the story of the boy being born to me on the night of the 23d December 1845, is false, and I do not know whence he was brought by my parents. I know only this much, that he was brought through the medium of Dada Havildar, of Amleeara. I will not keep the boy any longer, and the Sirkar should therefore be so merciful as to give him back to his parents. You, being our Ma-bap, I trust to be pardoned for this crime, in consideration of the late Sett and Hurree Bhugtee."

The first report to Government of this transaction, by Mr. Andrews, dated 22d March 1847, transmits a "memorandum" detailing the circumstances of this dispute; which memorandum, as all such memoranda invariably were, must have been furnished to that gentleman by the native agent Nursoo Punt.

That memorandum states, "It is reported that yesterday a writing was taken from the second wife, acknowledging the child to be spurious."

If it be established that no such writing had at this time been taken, strong ground is afforded for assuming that Nursoo Punt had lent himself to forward his relative, Baba Nafra's views, by deterring the acting Resident from interfering, as by the guarantee of British protection held by Joitabaee, he was bound to do, if he had any reason for suspecting that lady to be unjustly treated. The assertion, that she herself had thus voluntarily confessed her fraud, effectually prevented even a suspicion of foul play entering the mind of the Resident; while Joitabaee and her father being closely imprisoned by Baba Nafra, and the residency establishment bound to his interests through Nursoo Punt, the Baba was therefore assured of ample time to perfect his schemes, so as to preclude any interposition hereafter, on the part of the British Government, on behalf of his victim. On the connivance of the Durbar he had good reason to know he could implicitly rely.

Under this assurance (of Joitabaee's admission of the fraud) no interference was thought necessary by Mr. Andrews; but had not his native agent been interested in keeping the truth from him, that gentleman must have learnt that Joitabaee and her father continued in close confinement up to the day he delivered over charge of the residency to his successor (7th May 1847), and this circumstance, had he been aware of it, must have excited his suspicion, that at least the asserted confession could not have been voluntarily made; for had it been so, the child having been restored to its parents, what necessity existed for continuing the young widow in close imprisonment, the more especially as her parents must have been considered more to blame than herself.

On the 23d July 1847, I received from Government Joitabaee's first petition, dated 15th June, representing the facts of her case, and appealing to the British Government for protection and redress in virtue of her guarantee. After making some preliminary inquiries through other channels than the native agent, whose endeavours to mislead me, alluded to in para. 83 of Part II. of my Report, had ere then awakened my suspicion of his collusion with Baba Nafra, I forwarded copy of this petition to the durbar on the 2d August, demanding explanation, but no reply having been received up to the 27th August, I reiterated the demand on that day, having intermediately done so on the 19th idem. The determination I thus evinced to have the matter inquired into, alarmed Baba Nafra, and necessitated the adoption of such measures as he deemed best calculated to prevent investigation at the residency. He appears about this time, consequently, to have renewed his endeavours to induce Joitabaee to give a written confession of guilt, as the price of her release from imprisonment; which confession, made before reputable witnesses, would at once have been transmitted by the durbar to the residency, as a final and satisfactory reply to my demand for explanation; after receiving which I could have had no plea for further interference.

Joitabaee, in a petition addressed to the residency on the 28th August 1847, thus refers to the endeavours then made by the Baba to tempt or frighten her into making such a confession: "Since I have appealed to the Resident, the Baba has thrice been to me, and, under an assurance of his releasing me if I agree, desired me to write whatever he should dictate, and in the event of my refusal to comply with his will, I am threatened with a continuance of my confinement. Thus am I at times threatened and cajoled into complying with the Baba's wish; but I have replied, that the settlement of the business rests with the Sirkar" (British Government).

The mere fact of no mention having been made of this "written confession" in the correspondence which passed between the durbar and the residency, from the 2d August 1847

up

up to my departure in September 1848 (which, as I have observed, had it been in existence, would, of course, have been forwarded to me, and must at once have closed the case, and prevented further interference on my part after I had ascertained its authenticity) is, of itself, pretty conclusive that such confession never had been written. Is it likely, moreover, that such an important fact would have been omitted in the elaborate statement of what professes to be all the facts of the case given in the elder widow's name (but which she declares was, like all other statements, given in her name by Baba Nafra, written by himself, without her cognizance*), and forwarded by the durbar to me on the 8th September 1847, 5 months and 13 days subsequent to the date of the pretended confession, wherein, though she is made to say Joitabaee admitted the fraud to her, no mention is made of the said "written confession."

* *Vide* App. (J.), No. 32 and No. 103 of App. (H.)

But Baba Nafra and his supporters knew (from Nursoo) too well that I would ascertain the authenticity of the document ere I permitted the closure of the case on the strength of it, to venture to impose the shameful forgery while I remained at Baroda; and there are many presumptive proofs that it was only introduced after my departure (on the 12th September), and when Larbaee, having given her deposition on the 26th of that month, left the durbar no further excuse for not closing their proceedings, and submitting them to the review of the Resident. Then it must have been that this fraudulent document was prepared, in the expectation that my successors would, as a matter of course, look into the case, but who, they doubtless hoped, might be more easily satisfied than myself, guided as he must necessarily be in his ignorance of the case by the native agent in a great measure, and mystified and confused by the enormous mass of documents which had been accumulated.

A further presumptive proof that such a confession never was made by Joitabaee is the fact of her being continued in close confinement for months after the pretended voluntary admission of the fraud. Baba Nafra himself declares that she was induced to give the written confession to "save herself from being exposed" or "her house disgraced," to which he had pledged himself that "all this can be avoided provided she would follow my advice;" and he declares that she did follow his advice, viz., to give the "written confession." If, therefore, Joitabaee had thus acted voluntarily, why the necessity for keeping her closely imprisoned any longer? and wherefore was not Baba Nafra's pledge fulfilled of "saving her from exposure?" On the contrary, the utmost publicity possible was given to the circumstance; her crime was proclaimed by the Baba himself to the caste people, whom he assembled for the purpose of expelling Joitabaee and her father from this caste; the child was publicly made over to the kolies; and Joitabaee and her father were retained as criminals in rigorous imprisonment in the face of all Baroda.

Depositions Nos. 93 and 102.

Such are some of the presumptions against the asserted confession ever having been written, or in any way given by Joitabaee; many more might be adduced. I will now advance proof that it could not have been in existence, at any rate up to the 21st November 1847; for on that day Joitabaee was examined by the punchayet, yet no allusion whatever is made to the said confession, and no question on the subject is put by the punchayet in their cross-examination of Joitabaee. Is it possible that such an important fact would have been overlooked had that document been before them? or is it possible that Baba Nafra would have neglected to place the document before them, as he had done all the other evidence he had collected against Joitabaee on the very first day that the Court was convened? Would the punchayet have thus neglected at all to notice a document, the establishing the authenticity of which would at once have closed their labours, and that in the manner most satisfactory to themselves, by the conviction of Joitabaee?

Deposition No. 81.

Another proof that the written confession could not have been in existence at the date which is assigned to it, is, that the deposition of Phunnee, taken two days subsequently, viz., on the 23d March, who in her after depositions is made to appear not only as having witnessed the execution of the said confession, but as having been the party employed by Joitabaee to intimate to Baba Nafra her desire to confess, makes no allusion whatever to so important a circumstance; neither is any question regarding it put to her by Baba Nafra, who himself examined her, though to have established that point alone would have consummated his object. As only one day had intervened between the date of the pretended confession (21st March) and that of Phunnee's deposition (23d March), it was impossible that so important a circumstance could have been forgotten by the deponent, or that the opportunity for recording her testimony to the fact would have been overlooked by Baba Nafra, had she really witnessed, or in any way been a party to the transaction. This obvious fact did not escape the punchayet, and they therefore suppressed this original deposition of Phunnee, while they recorded and gave full weight to that which had been subsequently taken before the first punchayet, and which detailed all the particulars of the pretended confession. That this deposition was before the present punchayet is proved by the fact that a reference to it had been inadvertently left on their proceedings, which gave me the clue that enabled me to call for the document, and insist on its production.

A further conclusion that the "confession, said to have been written in March 1847, was not in existence prior to September 1848, may be drawn from the fact that, with the exception of Baba Nafra's statement, No. 93, and Mahaluxmeebaee's, No. 94, dated November and December 1847, none of the depositions recorded prior to September 1848 allude to the circumstance;

and the originals of those documents clearly show that the portions thereof relating to the confession had been subsequently appended, and that the subject had not been thought of when those depositions were first prepared on the 29th November and 10th December 1847. Thus the first, Baba Nafra's, contains no allusion to the confession throughout its first portion, which had been completed and dated on the 29th November; subsequently a long continuation has been tacked on, and dated 9th September 1847; which, from the appearance of the paper and writing, must have been prepared at a longer interval than only 10 days; a great portion of this continuation, moreover, embracing the story of the confession with other matters, has evidently been subsequently interpolated down to within a few lines above the concluding date. The second deposition again, that of Mahaluxmeebaee, has its first portion concluded and dated 10th December 1847, without any allusion to the confession; afterwards has been added the story of the confession, dated next day, but having the appearance of having been written at a considerable interval of time; a portion of which, moreover, has been subsequently interpolated; and besides this, the signature purporting to be Mahaluxmeebaee's, attached to the first portion, is in a different handwriting to that appended to the second. But even admitting that the stories written by Baba Nafra, and said to have been stated by Mahaluxmeebaee, were really deponed to on the dates assigned to them, viz. 10th and 11th December 1847, how is it that an interval of nine months had been allowed to elapse since the date of the pretended confession (21st March 1847), before any mention was made of that important document; and that no allusion thereto is contained in the intermediate communications of those parties ?

One other proof of the dishonesty of the punchayet in connexion with this matter will suffice, out of many I might adduce. With a view to evade the necessity of convicting Baba Nafra of the crime of forgery, they admit without question his assertion that the original document had been given to the late Guicowar, as a reason for its not now being produced, though the deposition of Dyashunker, No. 99, showed them that it had been placed before the first punchayet on the 24th September 1848, that is, nine months after the demise of his Highness; and in order to prevent detection, they withheld Dyashunker's deposition; and then in their finding, they have the assurance to express their inability to decide whether or not the confession was really made by Joitabhaee; and if not, whether or not Baba Nafra was a party to the forgery.

Baroda Residency, 31 March 1851. (signed) *J. Outram*, Resident.

(True copies.)

(signed) A. Malet, Chief Secretary.

12.

Collection No. 2 of No. 91, Bombay Political Department, Letter from, dated 3 December 1851.

JOETABHAEE SETANEE.

Reference to Captain *P. T. French*, late Officiating Resident at Baroda, in the Case of Joetabhaee Setanee.

TABLE OF CONTENTS.

No.	From.	To.	SUBJECT.	Date and Number of Document.	Date and Number of Consultation.	Page.
1.	Minute by the Right honourable the Governor, concurred in by the Board - -			1851: Nov. 10	- - -	725
2.	Chief Secretary to Government.	Captain French, late Officiating Resident at Baroda.	- - Forwarding, for any explanations he may wish to offer, certain documents connected with the case of Joetabhaee Setanee.	Nov. 15 No. 407.	- - -	727
3.	Captain French, late Officiating Resident at Baroda.	Chief Secretary -	- - Replying to Government letter, No. 407, of the 15th November 1851.	Nov. 20	- - -	756
4.	Minute by the Right honourable the Governor - - - - - - - -			Nov. 23	- - -	766
5.	Minute by the Honourable Mr. Blane - - - - - - - - - -			Nov. 23	- - -	766
6.	Minute by the Honourable Mr. Bell - - - - - - - - - -			Nov. 24	- - -	766
7.	Further Minute by the Right honourable the Governor, concurred in by the Board			Nov. 24	- - -	767
8.	Chief Secretary	Captain French, late Officiating Resident at Baroda.	- - In reply to his letter of the 20th November 1851.	Nov. 26 No. 419.	- - -	767

Bombay Castle,
3 December 1851.

A. Malet,
Chief Secretary.

— No. 1. —

MINUTE by the Right Honourable the Governor, concurred in by the Board.

1. I WOULD send Captain French the paras. 36 to 53 inclusive of Colonel Outram's Report of the 31st March, Part II., for any explanations which he may wish to offer.

2. I would solicit his attention to the bracketed parts of the following paras. in particular paras. 37, 39, 40, 43, 44, 47, 49, 51, 53.

3. Upon para. 37, he should be requested to state whether the assumption is correct that he was under the impression there stated.

4. Para. 39 should be accompanied by Appendix (A.) Captain French should be called on to show wherein consist the instances in Joetabhaee's statements of "a denial on one day of what on a previous day was admitted," and of the "subterfuges and evasions on the part of Joetabhaee and her parents."

5. He might also notice the statement, that "he could not have been able during the 12 days that preceded the preparation of his letter, to study the entire mass of translated and untranslated documents connected with the case of Joetabhaee."

6. Captain French has exonerated Nursoo Punt on the charge of having misrepresented matters, in as far as I can glean his meaning from his deposition given before the Commissioner. But it is desirable that he enter fully into an explanation of his statements, if they are not found to tally with Joetabhaee's petitions to which they refer, or with facts.

7. He should reply to the allegation in para. 40, that he could know nothing at the time he wrote of the popular sentiments of the place, and more in detail than he has done before the Commissioner.

8. He should be invited to offer any remarks on the bracketed portions of the remaining paras. above noticed, and especially on the assertion in para. 53 that "he was clearly in ignorance of the actual posture of affairs."

9. He should be allowed access, if he desire, to any official documents on record, which will enable him in his opinion to recall to mind the facts necessary for his explanation of circumstances which have taken place, and opinions which were formed and expressed at so distant a period.

10. An entire copy of his correspondence with Government on this subject should also be furnished to him.

11. In like manner paras. 57 to 69, Part II. inclusive, should likewise be sent to Captain French. His attention should be drawn to the parts bracketed, but it is unnecessary and, I think, inexpedient to particularize.

12. He should be asked to explain how he came to inform Government (*see* para. 63), that Joetabhaee had declined to consent to the settlement of the dispute by arbitration, and whether he had any assurance of this from Joetabhaee herself, or depended solely upon the yad from the Durbar, transmitted with his letter to Government of the 15th February.

13. Appendix (D.) to Colonel Outram's report should accompany this reference, to assist Captain French's recollection.

14. Paras. 70 to 85 should be recommended to his particular attention. The propriety of Captain French's official conduct is directly impugned throughout; I have therefore bracketed but a few of the passages which call for particular remark.

15. He should be asked to explain his reasons for recommending at that juncture the removal of the disability under which the Baba lay of visiting at the Residency, and which is noticed by Colonel Outram in para. 75.

16. He should explain, if possible, his statement in allusion to Sir R. Arbuthnot's non-attendance, commented on in para. 82. There would seem to be no such correspondence as that referred to by him, in his evidence before the Commissioner. A copy of Mr. Andrews' two reports to Government, on the subject of Joetabhaee, may be sent with this reference, to enable Captain French to state whether this letter, in which it is stated that the Resident was asked but would not go, is not the correspondence to which in his evidence before the Commissioner he erroneously refers as between Government and Sir R. Arbuthnot; and if so, as the fact of Sir Robert's non-attendance is alone stated in that document, how he came to assign a motive for it.

17. Para. 86, Part II. should also be sent to him.

18. So may paras. 92 to 126. The first subject of these paras. which calls for remark is Captain French's letter to Joetabhaee of the 11th April 1849 (*see* paras. 93 and 99); his rejection, without reading them, of her petitions (para. 101); his transmission of what he called the translated substance of Joetabhaee's petitions alluded to in paras. 113 and 114; the statement that he grossly misrepresented their contents (para. 114), in saying that these documents were but a repetition of the petition of the 21st December (para. 117); his failure to notice that, even supposing the intention of Government not to interfere

interfere were to be maintained, Joetabhaee under the will of her husband had certain pecuniary rights which were withheld by Baba Nafra (*see* para. 120), and which justified her in her request that an allowance should be made her by the bank, or a sum advanced to her on account. Finally, his statement that it was reported at Baroda by every one, "that the deceased banker had not been near Joetabhaee for more than a year previous to his death," *see* para. 125.

19. In relation to paras. 113 and 114, and the note to para. 118, of the second part of the report, Captain French might be asked whether he wished to make any alterations in the translated substance, and what his reasons were for not sending a translation in full. Exhibit B. 1 to B. 28, in the first case tried by the Commissioner against Nursoo Punt, should also be sent to him, that he may be satisfied whether these are the untranslated papers referred to in his letter.

20. As regards other particulars, he should endeavour to justify his conduct to Government on all of the above points, and on such other allegations on the portion of the report sent to him as he may see fit to notice. But as his replies may involve a defence of his measures generally in regard to Joetabhaee, as well as an explanation of the distinct statements of facts put on record by Colonel Outram, I do not think it desirable to put to Captain French specific questions on the paras. now under notice, at least not until he shall have replied to the reference herein proposed.

21. I would further ask Captain French to state formally, whether Colonel Outram previous to his departure to Egypt put him on his guard against the treachery which he states that he then suspected in relation to Joetabhaee Setanee, and an extract para. 17 of Colonel Outram's letter might be sent to him. I have already had the inquiry put to him in a demi-official manner, and have his reply, but it may be as well to have it formally on record.

22. I would also send to Captain French the chief secretary's letter, No. 60, dated the 4th January 1849, and his answer. I would at the same time observe that Nursoo Punt has explained that the letter reached him on the 8th, and not on the 9th, as noted on the letter itself; that granting this, it is desirable that he should state how he satisfied himself, so as to answer on the day following the receipt of the letter, that no such person as Venais Dhondoo Abeshunker was to be found in Baroda.

(signed) *Falkland.*
D. A. Blane.
A. Bell.

10 November 1851.

— No. 2. —

No. 407 of 1851; Secret Department.

From *A. Malet*, Esq., Chief Secretary to the Government of Bombay, to Captain *P. T. French*, late Officiating Resident at Baroda.

Sir,

As connected with your letter, dated the 19th August last, intimating your readiness to answer any questions that the Right honourable the Governor in Council might see fit to put to you, connected with certain inquiries, which by order of Government have lately been instituted at Baroda, I am directed to transmit to you, for any explanation you may wish to offer, the documents enumerated in the annexed list.

2. The first document to which I am desired to call your attention is an extract, paras. 36 to 53, from a report submitted to Government by Lieutenant-colonel Outram, C.B., Resident at Baroda, dated the 31st March last, and to direct your special notice to the portions of this extract, in paras. 37, 39, 40, 43, 44, 47, 49, 51, and 53, which are enclosed in brackets.

3. With reference to para. 37, I am directed to request that you will state whether,

whether, as assumed by Lieutenant-colonel Outram, you were under the impression therein stated.

4. I am next desired to call your attention to Appendix (A.), to Lieutenant-colonel Outram's report, which forms enclosure to Compilation No. 2, accompanying this letter, and with reference to the 4th para. of your letter to Government, dated the 15th November 1848, quoted in para. 38 of that report, to request that you will distinctly specify the instances in Joetabhaee's statements of "a denial on one day of what on the previous day was admitted," and of the "subterfuge and evasions on the part of Joetabhaee and her parents."

5. You will also be pleased to notice the remarks made by Lieutenant-colonel Outram in the 39th para. of his report, that you "could not have been able" during the 12 days that intervened between your assuming charge of the Baroda Residency, and the transmission to Government of your letter of the 15th November 1848, above alluded to, "to study the entire mass of translated and untranslated documents connected with the case of Joetabhaee."

6. It appears to his Lordship in Council, from your depositions made before Mr. Johnson on the 3d July last, that you have exonerated Nursoo Punt from the charge of having misrepresented matters to you during the period of your incumbency at the Baroda Residency; if this be the case your attention is specially directed to the several representations from Joetabhaee which accompany this letter, and specially to the one from this lady to the address of Government, dated the 21st December 1848, in which she deposes to facts which are strongly opposed to the opinion you appear to have formed of Nursoo Punt's conduct in the above particular.

7. The Right honourable the Governor in Council requests that you will reply to the remark made by Lieutenant-colonel Outram at the commencement of para. 40 of his report, that at the period when your letter of the 15th November 1848 was addressed to Government, you could know nothing of the popular sentiments of the place; your report upon this point should be in greater detail than the reply contained in your deposition before Mr. Johnson.

8. His Lordship in Council invites you to offer any remarks on the bracketed portions of the remaining paras. above noticed of Lieutenant-colonel Outram's report, and specially on the assertion in para. 53, that at the period therein alluded to, you were "clearly in ignorance of the actual posture of affairs."

9. I am desired to transmit to you the whole of your past correspondence with Government in the case of Joetabhaee Setanee, and at the same time to state, that on application to me you will be allowed access, should you desire it, to any other official document on the records of Government which, in your opinion, may be likely to enable you to recall to mind the facts necessary for your explanation of circumstances which have taken place, and opinions which were formed and expressed at so distant a period.

10. I am further desired to transmit to you an extract, paras. 57 to 69, from Lieutenant-colonel Outram's report above mentioned, and to draw your attention for explanation to the parts enclosed in brackets.

11. I am particularly to request, with reference to the 63d para., that you will explain on what grounds you reported to Government on the 22d February 1849, that Joetabhaee had "declined to consent to the settlement of the dispute by arbitration," and whether you had any assurance of this from Joetabaee herself, or depended solely upon the yad from the Gaekwar Durbar, which was transmitted to Government, with your letter above mentioned. The papers which form Appendix (D.), accompanying this letter, may possibly assist your recollection upon this point.

12. In forwarding to you a further extract, paras. 70 to 85, of Lieutenant-colonel Outram's report, I am directed to draw your particular attention to the remarks and statements therein contained, and specially to those portions enclosed within brackets.

13. You

13. You are at the same time requested to explain your reasons for having, at the particular juncture alluded to by Lieutenant-colonel Outram, in para. 75, recommended to Government to authorize the removal of the disability under which Baba Nafra lay of visiting at the Residency.

14. You are also requested to explain the statement alluded to by Lieutenant-colonel Outram in the 82d para., contained in the 6th para. of your letter, to the address of Government, dated the 22d February 1849, already mentioned, that "Sir Robert Arbuthnot refused to visit the house on the occasion of the child being named." No correspondence of the nature alluded to by you in your * 43d answer before Mr. Johnson, with reference to this point, can be traced upon the records of Government.

15. As connected with this point, I am desired to forward to you two reports on the subject of Joetabhaee's case, made to Government by the late Mr. Andrews, under dates given in the margin†, and to request that you will explain whether the letter stating that the Resident was asked, but would not go, is not the correspondence to which, in your evidence before Mr. Johnson, you refer as between Government and Sir Robert Arbuthnot; and in this case, as the fact of Sir Robert's non-attendance is alone stated in that document, to request that you will explain how you were led to suppose, as stated in the 6th para. of your letter to Government of the 22d February 1849, that Sir Robert Arbuthnot declined to be present on the occasion alluded to, for the reason stated by you in the following words: "The entire bearing of all concerned is so bad, and the case so notorious in the town, and was so from the first, Sir Robert Arbuthnot refusing to visit the house, &c."

† Dated the 22d March 1847, No. 70. Dated the 14th April 1847, No. 91.

16. I am also directed to forward to you further extracts, paras. 86 and 92 to 126 of Lieutenant-colonel Outram's report, and to call your special attention to your letter to Joetabhaee of the 11th April 1849, alluded to in paras. 93 and 99; your rejection, without reading them, of her petitions (para. 101); your transmission to Government, on the 21st July 1849, of what you termed the translated substance of Joetabhaee's petitions (paras. 113 and 114); the allegation that you misrepresented their contents (para. 114), in saying that these documents were but a repetition of the petition from this lady of the 21st December 1848 (para. 117): your failure to notice, that, even supposing that the intention of Government not to interfere in this case were to be maintained, Joetabhaee, under the will of her husband, had certain pecuniary rights, which were withheld by Baba Nafra (para. 120), and which justified her in her request that an allowance should be made her by the bank, or a sum advanced to her on account; finally, your statement that it was reported at Baroda by every one "that the deceased banker had not been near Joetabhaee for more than a year previous to his death" (para. 125).

17. In relation to paras. 113 and 114, and the note to para. 118, Part II., I am instructed to call on you to state your reasons for not sending a translation of Joetabhaee's petition in full. With reference to this point, I am desired to call your attention to the documents which accompany this letter, marked "Exhibits B. 1 to B. 28."

18. His Lordship in Council is desirous that you should explain your conduct on the whole of the points already specially alluded to in this letter, and on such other allegations contained in the extract from Lieutenant-colonel Outram's report now sent to you, as you may see fit to notice.

19. I am further desired to call your attention to Compilation No. 2, accompanying this letter, being para. 17, from a communication from Lieutenant-colonel

* "*Question* 43. In the letter of the 22d February 1849, in which you reported to Government that Joetabhaee Setanee had declined to submit her affairs to arbitration, you expressed yourself thus:—'The entire bearing of all concerned is so bad, and the case is so notorious in the town, and was so from the first, Sir Robert Arbuthnot refusing to visit the house on the occasion of the child being named, that I am of opinion Government would be fully borne out in cancelling the guarantee, which, it will be recollected, is during good behaviour.' When you penned this para., did you mean Government to understand that Sir Robert Arbuthnot's reason for not being present at the naming of the child was the notoriety which the case had then obtained?—*Answer*. Yes, I conclude I did; and that in Sir R. Arbuthnot's letters in the English compilation he says as much."

colonel Outram, dated the 31st March last, and to request that you will report whether that officer, previous to his departure to Egypt, put you on your guard against the treachery he therein states he then suspected in relation to Joetabhaee Setanee.

20. Finally, in drawing your attention to my letter to your address of the 4th January 1849 (No. 60), and of your reply thereto of the 9th of the same month (No. 14), I am desired to inform you that Nursoo Punt has explained that my letter reached you on the 8th, and not on the 9th, as noted on the letter; you are requested to explain by what means you succeeded in satisfying yourself, in the short period of one day, that no such person as Venack Dhondoo Abesunker was to be found in Baroda.

21. I am directed to request that the whole of the accompaniments to this letter may be returned with your reply, and that no copies of them be retained by you.

I have, &c.
(signed) *A. Malet*,
Chief Secretary.

Bombay Castle, 15 November 1851.

EXTRACT Paras. 36 to 53, 57 to 86, and 92 to 126, from a Report (Part II.) from Lieutenant-colonel Outram, dated 31 March 1851, alluded to in Government Letter to Captain French, dated the 15th November, No. 407, of 1851.

36. CAPTAIN FRENCH only assumed charge of the Residency on the 2d November, and on the 15th of that month the punchayet not having yet closed its proceedings, addressed a communication to Government, in which he recommended the disposal of the case in a manner which, under the circumstances of the two contending parties, could only have issued in the irrevocable ruin of Joitabaee.

37. That in making this proposition, the acting Resident was actuated by the fairest regard for justice there can, of course, be no doubt; but I think I shall have no difficulty in demonstrating that he had been grossly deceived by his native agent Nursoo Punt, the relative and friend of Baba Nafra, and a man of much cunning. It was natural that Captain French should look to this individual for an honest statement of the case, and a faithful record of past and passing occurrences; and the man's demeanour is precisely such as to impress the minds of his superiors with the idea that the utmost reliance and confidence may be placed in him; he is respectful, unobtrusive, and mild; cool and unimpassioned; he does not thrust his opinions on you, he allows them to drop out in seemingly casual observations; and he is far too wise to appear in favour of those whose interests he seeks to promote, as was strikingly illustrated in this very case, for so effectually did he conceal his regards for Baba Nafra, that the acting Resident, after 14 months' incumbency of office, left Baroda under the impression that the two worthies were inimical to each other. To show that I am not wrong in attributing the protraction of Joitabaee's unmerited sufferings to the malign influence of Nursoo Punt, and the deceptions practised by him on the acting Resident, I shall make a few extracts from the despatch of the letter above adverted to, the despatch of the 15th November 1848.

38. That despatch he commenced with the preparatory paragraphs:

Para. 1. "With the intention of carrying out the orders of Government given in your letter of the 4th November 1847, and many subsequent communications, Colonel Outram had the accompanying translations (with abstract thereof) prepared in the case of Joitabaee, widow of Beechurbhoy Samuldass, of the firm of Hurry Bhugtee, of Baroda."

2. "In addition to these voluminous documents, there are no less than 48 others of a subsequent date to the concluding one translated, yet the case is undisposed of, and seems as far as ever from amicable settlement."

3. "This

3. "This will account for the delay that has occurred, and warrant, I hope, my submitting the subject for the consideration of Government, though in an unfinished state."

4. The untranslated papers are very similar to these now forwarded, in fact, in many respects, mere repetitions, a denial on one day of what on the previous one was admitted; subterfuge and evasions, but all on the part of the petitioner Joitabaee and her parents.

39. When it is recollected that at the date of penning the foregoing sentences Captain French had only been 12 days at Baroda, when the heavy and multifarious demands which society makes in India on the time of a high official arriving at a new station, are considered; when we further remember the official and demi-official encroachments, necessitated by the interchange of civilities between a newly-appointed Resident and the Sovereign to whom he is deputed, the courtiers, nobles, and leading members of the native community; when we bear in mind that considerable time is necessarily occupied in acquiring that familiarity with the system of the office, the sphere of its duties, &c., which it is one of the first objects of a newly-appointed Resident to obtain; and when, still further, it is held in remembrance that besides the current routine duties of the office, there were other cases on hand requiring his attention as well as Joitabaee's, the inference is, I think, fair, that Captain French could not have been able during the 12 days that preceded the preparation of his letter, to study the entire mass of translated and untranslated documents connected with the case of Joitabaee; nor was it necessary that he should do so had the representations of the native agent been as trustworthy as the officiating Resident had a right to assume they were. But it is a pity that he did not do so, as he would have found that one, at least, of those representations was false, and this discovery would, I have no doubt, have induced him to receive with less confidence the other statements of the native agent. The misrepresentation I allude to is that as to the character of the untranslated documents. After a careful examination, I can find no instance of "a denial on one day of what on the previous one was admitted," and I can detect neither "subterfuges" nor "evasions" on the part of Joitabaee and her friends; on the contrary, I see nothing but a consistent statement of the grievances under which these unfortunate persons declared they laboured, and an equally consistent protest against having their claims adjudicated on by a tribunal which they believed to be a corrupt one, in the unprincipled man who had their own property at command, for the purpose of suborning perjury against them. The documents are certainly iterative and most wearisome; inconsistent with each other they assuredly are not, nor do they display either evasion or subterfuge; and that Government may be in a position to judge whether Captain French or I give the more faithful account of them, I subjoin them in Appendix (A.), along with the correspondence which passed between Joitabaee and Captain French, from which it will be seen that the unfortunate lady was dealt with in a somewhat harsh manner. Here then is one of the misrepresentations artfully conveyed to Captain French, which I conceive to have been influential in prejudicing him against Joitabaee. The next paragraph of his letter will illustrate another.

Appendix (A.)

Para. 5. "In a case of this nature, we meet with impediments at every step of the investigation. The honour of a female of an ancient and respectable firm is concerned. One widow of the deceased banker states that the other had the usual monthly visitations after the death of her husband, and he, the people here assert, was unable to beget progeny for a period that, if true, would at once settle the point. Thus it will be seen that insuperable difficulties beset the settlement of the question, either at the Residency or Durbar."

40. It is very clear, considering the short period Captain French had been at Baroda, and the many demands that must necessarily have been made on his time, that he could know nothing of the popular sentiments of the place, save as he fancied he saw them reflected in the conversation of his assistant, his native agent, the Durbar vukeel, the courtiers, and those of the leading nobles and merchants from whom he had received visits. Mr. Battye assures me that he never gave the information referred to, and it is extremely improbable that in the first, and therefore ceremonial, visits exchanged between a newly-arrived Resident and the courtiers, nobles, and merchants of the place,

the conversation would, contrary to established etiquette, turn upon disputed cases then pending. We may therefore, I think, assume that "the people here," who asserted that Joetabaee's husband was "unable to beget progeny for a period that, if true, would alone settle the point," were the Durbar vukeel or Nursoo Punt, one or both of them; and from them also must he have heard the story about the "monthly visitations," which if true, as I am informed by medical officers, would only add Joitabaee to the category of those exceptional ladies of whose existence no accoucheur doubts, who continue to menstruate during uterogestation. But it matters little whether Nursoo Punt supplied the alleged facts,* or whether they were communicated by the vukeel of a Durbar which had already leagued itself against Joitabaee, or whether Captain French suffered the courtiers, nobles, and merchants of Baroda to take advantage of their earliest ceremonial visits to allege as matters of general belief what, "if true, would at once settle the point;" that is, consign a widow who sought redress to infamy and destitution. Whoever were his informants, they attempted to convey to his mind an impression which subsequent investigations have proved to be utterly false, and thus to pervert his judgment, and to prejudice him against a persecuted appellant; and though of course Captain French could not anticipate the results of my subsequent investigations, it is to be regretted that he so unhesitatingly indorsed the alleged popular belief. A little reflection must have satisfied him that it bore the impress of a fiction; for had the alleged impotence of Joitabaee's husband for many months been a matter of universal, or even general belief, and had it been universally or even generally believed that Joitabaee had never been pregnant, it is difficult to conceive how the announcement of her delivery of a son, who, if recognised, was to inherit almost untold wealth, should have failed to excite at the time a very general suspicion of fraud. But that no such suspicions were awakened is demonstrated by the recognition of the boy as the posthumous son of the late banker, not only by his caste, but by his sovereign and by the relations of the banker's other widow, whose son's prospects were so materially damaged by the advent of the second boy.

41. In his 6th, 7th, 8th, and 9th paras., Captain French observed:

"The petitioner, under the influence of a vakeel she brought from Bombay, evades an investigation. She questions the impartiality (perhaps rightly) of a punchayet appointed by his Highness, and she wished to have a lawyer from the Presidency to advocate her cause; thus departing from the customs and usages of her caste and profession.

"My experience, mainly on the other side of India, of disputes in banking establishments, has led to the impression that few if any cases adjudicated through us, or by our intervention, hold good. The bank works on as usual, but the wound is unhealed, and a final settlement is made by the members through the aid of a punchayet of their own nomination; and were this matter disposed of by us or the Durbar, such I feel convinced would be the final result.

"Besides, there will be many difficulties to carrying out our settlement, and that perhaps at the hands of the very party in whose favour the decision was."

42. Though I myself should have objected to an European lawyer, barrister, or attorney coming to Baroda to conduct a case in a Guicowar Court, as an infringement of the rights of his Highness, an objection actually communicated by me to one of the members of the Bombay bar whom it was wished to retain on behalf of Joitabaee, still I had insisted on the Settanee being allowed to avail herself of the services of a native vakeel, as will be seen from the following extract from a yad addressed by me to his Highness on the 11th December 1847:

Accompaniment No. 40 to Captain French's letter of the 15th November 1848.

"In your Highness's reply to my letter, nothing is said regarding Joitabaee's request to employ somebody to assist her father Banabhoy; but in the enclosure Meer

* Directly, or through his subordinate and tool, Narrain Row, the second carcoon in my office, one of those above referred to as remaining in my office to betray its secrets, baffle my inquiries, and intrigue against myself from my inability at present to afford strict legal proof of that regarding which no moral doubt can exist.

Meer Surfraz Allie, &c. write * that the person questioned should personally reply, and that such is the custom, to which I quite agree; but this is particularly applicable to witnesses, and it is not customary to object to either the plaintiff or defendant employing vukeels or agents in prosecuting their case, when it is of great importance, and the parties concerned are females, or incompetent to uphold their cause. In all courts of justice this indulgence is allowed, and in magisterial cases the accused parties are permitted to employ vukeels. It is true that the party questioned should reply personally; but without the assistance of vukeels in examining witnesses or either party, how could such cases be conducted?" * * * "It appears that Bhanabhoy is unable to either read, write, or give an opinion; therefore it is very evident that some assistance is necessary, which is equally applicable to both parties. I am therefore of opinion, that under the circumstances of the case, the Settanee should be permitted to employ a good respectable person for the assistance of her father."

43. These views had been expressed by me on mature deliberation, after the case had been under discussion for several months. After I had read and pondered on every document that had been penned on the subject; and after I had ample opportunities of seeing the spirit in which the inquiry was being conducted; and had Captain French been aware that license to employ a vakeel had been demanded by me, surely delicacy to the man for whom he was officiating, and the deference due to the opinions of one who had paid some attention to the case, ought to have prevented the acting Resident from offering so totally diverse an opinion till at least he had familiarised himself with the case more completely than it was physically possible he could have done during the first 12 days of his tenure of a new office.

44. From what I know of Captain French's character, I feel convinced that had that gentleman been aware that I had insisted on Joitabaee's being allowed a vakeel, delicacy to myself, and deference to my official status, would have prompted him to a further study of the case ere he reprobated the measure which I had not only defended, but insisted on; at all events, he would have noted the fact that my opinion on the subject differed from his own. And on this conviction I feel entitled to assume that when he penned this letter, not only had he not read the untranslated documents alluded to in para. 39, which he pronounced self-contradictory, subterfugal, and evasive, but that he had not even read the whole of the translated documents which he transmitted to Government; for in one of them, No. 40, is the yad I sent to the Durbar on the 11th December 1847, from which the above quotation is taken.

45. Captain French, in the passage from his letter above quoted in para. 41, says, that Joitabaee's mother questioned the legality of the punchayet. Undoubtedly she did, on the ground that it was one from which she could expect no justice to her persecuted daughter. But though she had for long delayed giving evidence before it, she did at length (as I have shown in para. 27) consent to be examined, and thus had she removed the only real or pretended obstacle that had ever existed, or been alleged, as standing in the way of the punchayet continuing and closing its proceedings. Her examination might have taken place, had it suited the views of Baba Nafra's friends, eight or nine weeks before Captain French's arrival, and only the anxiety of Baba Nafra that the punchayet's proceedings should not be brought under review and subjected to a searching scrutiny at the Residency, and the collusion of the native agent, who kept the acting Resident ignorant that such was the case, had prevented these proceedings being in his hands at the date of his writing that "the case was as far from settlement as ever."

46. In para. 9 of his letter, Captain French thus expressed himself: "The house of Hurry Bhugtee carries on its banking concerns as usual; but if encouragement be afforded to the evil propensities of the litigants by hearing them through hired vakeels, whose object must be to embroil all, and give bad counsel to gain their own ends (*vide* enclosure No. 18), the firm will assuredly ere long suffer and cease to be."

47. Where * there nothing else to prove that the native agent, Nursoo Punt, had completely deceived Captain French as to the merits of the case, and by his

* S. O.

his misrepresentations as to the nature and character of the various petitions from Joitabaee and her mother, led him to think a cursory glance at these documents was quite sufficient, this paragraph alone would suffice to demonstrate the point. It is so completely irrelevant to the case, that it could only have been penned under most confused and erroneous conceptions of the real matters at issue. It was indeed true that the house of Hurry Bhugtee carried on its affairs as usual, and as Government are fully aware from the testimony adduced in the report I addressed to them in reference to Mr. Andrews,* the usual mode of conducting the affairs of that house was a thoroughly abominable one, and one pronounced by the bankers, both of Baroda and Ahmedabad, as most "unbanker like." But it is difficult to see what immediate connexion there subsisted between Joitabaee's case and the alleged prosperity of the bank. What she complained of was, that a gross outrage had been perpetrated on herself by the manager of that bank; that her character had been aspersed, her child abducted, herself and her father kept in ignominious confinement, and that all these things had been effected by suborned perjury, paid for out of funds in part her own. The paid vakeel may have had a thousand bad and sinister objects, but none appear on the record. His ostensible object was to aid Joitabaee and her mother in obtaining redress; and who will say that these unfortunate women did not stand in need of aid?

48. In his 10th para. Captain French observed, "As we cannot establish by oral evidence the fact or otherwise of the child being that of a kolie, of the petitioner having been pregnant at the death of her husband, and his ability to beget offspring, without entering on an inquiry abhorrent to the feeling and prejudice of the caste the litigants belong to, and as such an investigation would in all probability fail to satisfy either party, while it would assuredly be most distasteful to the whole of the Seiths here, I beg to propose, that through the Durbar, both the widows be told to each name two persons, and conjointly a fifth, or Sir Punch, to determine their disputes, but first giving under their hand and seal, duly witnessed, a written agreement to abide by their decisions. The parties may at the same time be warned that the British guarantee is 'during good behaviour' (*vide* accompaniment to Mr. Boyd's Letter, No. 121, 18th November 1840, entry No. 13), and be informed that their razernamma will suffice for the Durbar and Government."

49. Whether or not it was Nursoo Punt who informed Captain French that "the people here" had expressed opinions, which it is notorious they did not entertain till it was Baba Nafra's interest to give them currency, and to stimulate their frequent expression, may be a matter of doubt. But it admits of no doubt that it was Nursoo Punt's duty to inform Captain French of what he himself well knew, that the inquiry into the distasteful matters above referred to, had already been carried on for months, and that whatever there might be in such an inquiry abhorrent to the feelings and prejudice of the caste had already been effected; and it was his duty to explain to the acting Resident that the thing best calculated to efface the injury done to the feelings and prejudices of the caste would have been the acquittal, after a fair trial, of one of the principal ladies of the caste, from such disgraceful charges as those that had been brought against Joitabaee.

50. But it was not the wish of Baba Nafra, or of his friend and relative Nursoo Punt, that Captain French should be aware of the real merits of the case, or of the stage at which the inquiry had arrived. It was their obvious interest to deter that officer from having anything to do with the investigation of the case; and it is, I think, pretty clear that Nursoo did endeavour so to deter him, by depicting in strong terms the offence such an inquiry would occasion if conducted either by the Resident or the Durbar, by representing to him that "insuperable difficulties beset the question either at the Residency or the

† *S. O.*

* In my yet† (31st March) unanswered appeal against the conduct of that gentleman, in which I endeavoured to prove, and as if that report be not sufficient, I shall yet satisfactorily demonstrate, impressed the minds of the natives of Baroda not only that he was not merely the protector of corrupt public servants, but that he was himself corrupt.

the Durbar," by preventing him from carefully perusing all the appeals of Joitabaee, on the plea that they were self-contradictory and evasive, and by making out a *primâ facie* case against the lady litigant, as one reputed to be unchaste and generally regarded as a cheat. Further, it was his duty to explain that before I left Baroda the only alleged obstacle to the proceedings of the punchayet being closed had been removed by myself, and that it merely required a firm representation on the part of the Resident to obtain the punchayet's decision, and thus be in a position to sit in review on its proceedings.

51. But dishonest strumpet as Joitabaee was represented to be, she was still entitled to British protection; her case must be decided some way or other, and it was transparently the interest of Baba Nafra to secure, if possible, a decision in his favour which should not be subject to revision; one pronounced by a court whose proceedings should not come under the Resident's review, and whose award should be final. And had the Baba himself been openly consulted on the subject he could not have devised a course of procedure which, under the form of giving fair play to all parties, was better suited to his own views and interests than that suggested by Captain French.

52. Even assuming that the nominees of Joitabaee had been inaccessible to corrupt considerations; even assuming that neither the gold of Baba Nafra, nor the menaces of his influential friends (and all the influential men at Baroda were in his interests), could have made them swerve from the strict path of justice;—assuming all this, could the same be supposed likely of any man whose election as "Sir Punch" would have been assented to by that arch briber, that child abductor, that suborner of perjury, that conspirator against the reputation, happiness, and property of his master's widow, whom an adverse verdict would have consigned to imprisonment for life, who had the means of bribing to any imaginable extent. True, at the time the proposal was made, Baba Nafra had not been proved to deserve all the epithets I have just applied to him, but he has since been proved to merit them. Joitabaee well knew that he then merited them, and knowing this, can we wonder that she, a prisoner, friendless, in poverty, and in disgrace, should have shrunk from such a tribunal as that offered her? and it was a touching and convincing proof of the widow's desolate condition when she agreed to submit to such a tribunal.

53. In proposing such a tribunal, Captain French was of course actuated by the purest motives, but he was clearly in ignorance of the actual posture of affairs, and in suggesting that the parties should give beforehand a written agreement to abide by the decision of the proposed tribunal, it is pretty obvious that he was unconsciously playing the game of Baba Nafra, who knew that by his wealth and influence he could procure from any court at Baroda such a decision as he chose, and who was only solicitous that the decision should not be open to the Resident's review. This solicitude it was that had given rise to the various delays by which the proceedings of the first punchayet were protracted till after I had left Baroda; to this solicitude may be traced the non-communication to Captain French, by Nursoo Punt, of the various facts it was his duty to bring to the notice of the acting Resident. Sympathy with his friend's solicitude, and a cordial desire to promote its objects, alone influenced the native agent in withholding from Captain French that Larbaee had long previously consented to give her evidence, and that, in fact, she had given all the evidence that could be demanded of her, viz., a statement of facts that the punchayet had not one valid excuse for longer withholding their report that the revolting part of the inquiry had long since been gone through and a liberal canvass instituted, as well of Joitabaee's menstrual peculiarities as of her husband's sexual capabilities; and the grand object of Baba Nafra's solicitude was realized when Captain French, betrayed, kept in ignorance, and deceived, proposed an arrangement which effectually precluded his ever himself exercising an appellate jurisdiction in the case.

57. On the 30th December Joitabaee addressed Captain French as follows:—

"On the first interview after your arrival a few representations were made, and when called a second time, on the 26th December, my father, Bhanabhoy, and kamdars were sent, whom you desired to go to the Durbar, as, according to the Government orders, it was written to convene a punch, to take razee-nammahs (writings) from both parties, to the effect that they will abide by the

decision the punchayet may pass, and to have the matter settled by the decision of a punchayet, although I wished the settlement of the case according to the yads formerly given." That is, by an investigation conducted by the Resident in person, or by a punchayet subject to the Resident's review, precautions being taken to limit Baba Nafra's powers of intimidation and bribery: "Yet my father went to the Durbar, as he was called there according to your orders. When your orders were read over to him, he asked for copies of them, but was refused. A kamdar carkoon will therefore be sent to you for the copies, as from them the names of punch of the opposite parties can be ascertained, whereby I shall be able to name the members on my part, as it is necessary to obtain their previous consent. The present time being critical, the persons (employed) in this matter ought to be the most confidential, and the writings (razeenamahs, &c.) will therefore be passed after making perfect inquiries on these heads. Notwithstanding I have become quite helpless, owing to the impositions and hardship used towards me and others for these two years, my ruin is not of a kind that I can describe. It was represented before, but nothing has yet been decided for my maintenance, &c., I have therefore got into debt with my creditors, as well as with the carkoons, kamdars, and servants, &c., for which I suffer a great deal, too much to detail. As the Colonel was convinced that Bhanabhoy (her father) was unable to manage this affair at the Durbar, he had postponed the investigation, and ordered me to appoint a trustworthy kamdar (vukeel) for the purpose, which was accordingly done as per yad given on the 29th March 1848. Yet the Durbar does not call that man for the business, but mentions in yads the names of inexperienced persons. * * * This matter being very delicate, injurious, extraordinary, and intolerable, the delay creates various mischiefs, which cannot be plainly described, but some of them have been mentioned in the former yads; and as the settlement was not made as therein suggested, the case has become intricate, and it is not known how long it may yet go on. It therefore seems necessary to represent, that for these two years past all the (other) people of the firm are in the full enjoyment of everything, without any hindrance, but towards me such harassing proceedings are exercised as nobody else could have ever endured, and I do not get anything for expenses, such an extraordinary case is this. According to the fame of our family, I ought to keep up such expenditure as would enable me to live with respectability, and now as the members of the punchayet are to be invited, I am much concerned as to how to defray the expense necessary on such occasions. It is to be hoped, therefore, that you will at once kindly get me 12,000 rupees from the firm for present expenses, and take such steps that I may not hereafter meet with any such inconvenience. By doing which I may suffer no further pecuniary difficulty, and have no cause to trouble you any more about it."

58. When the previous history of this case is considered, and due weight is given to what I have said in para. 52 of this section, it must, I think, be allowed, that in so readily acceding to the proposed arrangement, Joitabaee displayed submissiveness of no ordinary kind. The request of Joitabaee to be furnished by the Durbar with copies of the written orders which the Resident had issued in her case, was a most reasonable one; for these orders, which had been written to the Durbar, had been communicated verbally to her father, and Captain French has accurately enough described the old man as imbecile. The refusal of the Durbar to furnish the lady with copies of Captain French's orders was a gross act of injustice, and a gratuitous display of animosity quite in keeping with its previous conduct, and it was calculated to awaken the acting Resident's suspicions that some deception was being practised by the Durbar. The request made by Joitabaee, that, before naming her own arbitrators, she should be informed as to whom were the arbitrators selected by Baba Nafra, was equally reasonable; for, until it was known who were to represent the powerful and hitherto triumphant Baba Nafra, who "ruled the ruler" of the Baroda territory, and who was the *protégé* of the Baroda Resident, Joitabaee could not have found men willing to consent to take the part of the friendless widow, in opposition, it might be, to influential persons, having monetary or other checks upon them. Had she named men who subsequently refused to sit on the court, a fresh sophistry to her disadvantage would have been placed in the hands of her enemies. And, further,

common

common justice demanded that, in her critical position, she should have it in her power to nominate as arbitrators men thoroughly removed from even indirect connexion with Baba Nafra's nominees. If ever, therefore, there was a fair and reasonable request, it was the request of the oppressed widow; if ever a Durbar behaved in a disgracefully arbitrary manner, it was when the Baroda Durbar refused to let the widow know the names of those who were to be appointed as the nominees of her adversary. The demand for money out of the wealth bequeathed by her late husband, to enable her to vindicate the cause of his widow and posthumous son, was self-evidently reasonable. She was literally in a state of personal destitution, being dependent on her parents for shelter, food, and raiment, as, since her first persecutions, she had never received one single anna from the bank. Captain French, if he knew anything at all of native customs in native states, must have been well aware that in all such cases of arbitration, heavy expenses are incurred in maintaining with dignity and feasting the arbitrators and their followers during their investigation; and he must have known right well that the expenses in Joitabaee's case would be necessarily enhanced, from her inability to procure arbitrators in Baroda sufficiently free from Durbar and Nafra influence, and from the consequent necessity that would be imposed on her of selecting her umpires from some distant place within the British territory. Yet, from first to last, he refused to interfere in her behalf, with a view to obtain for her the smallest fraction of that money to which, as will shortly be seen, he admitted her to be entitled; and Captain French, who himself characterized Joitabee's father as an imbecile, must have been as satisfied as Joitabee herself of the justice of allowing her vukeel to represent her during the arrangements preliminary to the assembly of the punchayet, and during the proceedings of that body, proceedings on which, contrary to her own views, but in obedience to his orders, she was about to stake her fortunes and reputation.

59. The answer vouchsafed by the Acting Resident to Joitabaee was as follows: "The Resident's advice to you is that you should agree to the adjustment of your case by punchayet, as suggested by the Guicowar and Bombay Sirkars. If you do not agree to such arrangements, the measures made known to your father, Bhanabhoy, verbally, will be submitted for the sanction of the Bombay Government; and if your conduct be marked with impropriety, the said Government will take into consideration the necessity of rendering null and void their guarantee, which you are at present in the enjoyment of." App. (A.), No. 13.

60. On the 17th January, Joitabaee again petitioned Captain French in the following strain: "I beg to submit, that if the Maharaj had impartially investigated the complaint made by me, &c., * * * what necessity existed for my petitioning and inconveniencing the Company's Government; but, as under the Guicowar Sirkar's rule, impartial justice is not to be met with or expected, I have been from time to time necessitated to petition the Resident; yet, such being the case, the Resident Sahib at present directs implicit obedience to be paid to this Sirkar's mandates, which order from the Resident involves me in deep distress. Colonel Outram had, in the first instance, decided and ordered that a kamdar should be appointed to conduct my case, but the Guicowar Sirkar objects to this measure, and desires that my father Bhanabhoy should be in attendance at the Durbar for the purpose of conducting the case, and the Resident concurs with the Guicowar Sirkar; but as my father is entirely ignorant of the manner in which cases are conducted at the Durbar courts, owing to which the Resident was pleased to sanction some other party being deputed by me to attend at the Durbar on my behalf; and the reason for not now permitting such agent to conduct my affairs is with a view of screening the Baba, and involving me, as heretofore, in misery and ruin. This is evident: notwithstanding which, however, in obedience to the orders of the Resident, I had dispatched a yad by my father to the Guicowar Sirkar; and upon its being presented to the karbaree, he having perused it, returned it to my father; upon which my father submitted to the Maharaj, that, although the Maharaj wanted him to attend, he was not aware of the manner in which business was conducted at the Maharaj's court, and requested that the reply to the yad might be sent to me, and (said) that I would give App. (A.), No. 16.

the necssary explanations, and also send a vakeel to conduct my case. To this the Maharaj replied, that he would neither receive my yad or give any reply thereto. This is what transpired on the occasion."

App. (A.), No. 17. 61. Captain French thus replied: "In reply, be it known, that in your yad you have cast reflections upon the Guicowar Sirkar, and otherwise disrespectfully addressed him, which is very improper on your part to do, therefore hereafter should your yads be written in the same objectionable tone, they cannot be received, which I advertise you of. With reference to the adjustment of your case, whatever order the Maharaj may be pleased to make you should respect, and you should submit to the Maharaj any reasonable representations you may feel desirous of doing."

62. Captain French was as well aware as the lady herself that Joitabaee told the simple truth, when she asserted that from the Guicowar Durbar she could not expect impartial justice. It was he himself who had reduced Joitabaee's already slender chance of obtaining redress, to the infinite small amount afforded by a punchayet, from which there should be no appeal; and one too which was to be nominated in equal proportions by a friendless, hopeless, resourceless widow, whom he himself represented as an imbecile, and by a powerful influential, wealthy, crafty, and talented man, whom he not only believed, but had officially declared to be an unscrupulous villain, and to have committed a crime, in consideration of which he ought to have been placed before a criminal court, instead of being allowed to appear in one of arbitration. Under these circumstances, though for form's sake Captain French might have reprimanded Joitabaee for calling things by their proper names, when speaking of Royalty, surely he was bound to see that when in obedience to his behests, she acceded to the settlement of her affairs by arbitration, she was allowed every facility for so doing. He ought to have seen not only that Joitabaee's requests were reasonable, but that non-compliance with them was to make the arbitration he had proposed a gross delusion, a cruel mockery, and a fatal snare.

63. Yet in spite of all these considerations, and in spite of the fact that Joitabaee had sent him accounts from time to time of the insulting and heartless manner in which the Durbar treated her reasonable requests, and thus threw obstacles in the way of her complying with his orders, Captain French did not hesitate on the 22d February, to inform Government that Joitabaee had "declined to consent to the settlement of the dispute by arbitration." He founded this statement on the assertions of the Durbar, contained in the following passage, which he transmitted to Government on that occasion (dated 15th February):—

"No reply having been received from Joitabaee, her father, Bhanabhaee, was again on the 13th January sent for, and the matter was explained to him. His reply was unfavourable, consequently a yad was addressed to Joitabaee on the 17th January, and another on the 22d of the same month, but no answer came regarding the punchayet. On the 31st January, a jasood was sent to the Settanee, requesting her attendance at the apartments of his Highness's mother, who would explain to her the circumstances of the case. This was also declined, and a third yad was addressed with a similar effect, notwithstanding this proposition has been made, both personally and in making * she still refuses to consent."

* *S. O.*

64. Captain French's high notions of the morality of the Baroda Durbar, may have forbade him to regard the above yad as a deliberately told circumstantial falsehood; but how he could have come to any other conclusion than that there was some grievous mistake, and that Joitabaee was the heroine of a tragedy of errors, must be best known to himself. The Durbar averred that "no answer came about the punchayet," but it was Captain French's duty to demand the production of the answers sent, whether they referred to the punchayet or not. In failing to send these answers, the Durbar violated the established usage and etiquette; and they would not have ventured to do so had they not been well assured that Captain French's mind had been so powerfully biassed against Joitabaee by the artful unscrupulous Nursoo Punt.

65. Fortunately

65. Fortunately for Joitabaee, she retained the yads addressed to the Durbar on the 2d, 22d, and 23d of January, which that body had returned to her. These documents will be found in Appendix (D). Appendix (D.)

66. Their authenticity may be relied on. The authenticity at all events of those of the 2d and 22d, is established beyond a doubt, by the Durbar endorsement on the back of the latter, to which Joitabaee thus alludes in the petition of the 23d: "I beg to submit for the information of the Sirkar, that I had on the 22d January sent a yad, enclosing my former yad of the 2d January, by my karkoon to the Maharaj, which although perused by the Sirkar, the arrangements therein suggested have not been as yet made; and the above two yads, together with one bearing the signature of Trimbuck Shastree Memhore, these yads, three in all, about midnight, were brought back to me by a jassood belonging to the Maharaj Sirkar, I being at that time asleep, they were made over to my father who had been disturbed from his rest * * *. The reason for this evidently is to show (make it appear), that I do not attend at the Durbar, which I also treat with disrespect, thus to make it appear that I am self-willed, and treat the mandates of my sovereign with contempt and disdain, and the wording of the above-mentioned Shastree's yad is such as would convey such unfavourable impression against me." App. (D.), No. 3.

67. The petitions of the 28th January and 2d February, alluded to in the petition to Captain French on the 20th April, as having been sent to the Guicowar, I have been unable to obtain. I applied for them to the Durbar, but received for answer that they were not to be found, an answer which considering the great care taken of all such papers by the Durbar, I regard as pretty strong evidence that these petitions are as demonstrative of the falsehood of the Durbar yad of the 15th February, as are the petitions I have rescued and appended to this report.

68. I have said that the mere non-transmission of Joitabaee's answer, along with the yad of the 15th February, afford conclusive evidence that the Durbar believed the Acting Resident to be deeply prejudiced against Joitabaee; and the intensity of their convictions on this score may be judged, when we call to mind that they were well aware that the officer whom they assured of Joitabaee's recusancy was one, as the lady's petitions show, had been regularly apprized of her unsuccessful efforts to obtain those measures which were requisite to enable her to submit her case to the arbitration suggested by Captain French. Thus in the authenticated petition or rather answer, sent by Joitabaee on the 22d January, she wrote as follows: "In accordance with the instructions received from the Acting Resident of Baroda, Captain French, that I should cause my father and others to wait upon your Highness. Upon which, considering it necessary, I have duly kept that gentleman informed of the result of such interviews. Considering it necessary to respect the mandates of the Company Sirkar, on the 2d January I sent a yad to the Guicowar Sirkar, which yad, however, the Sirkar refused to receive, and consequently it was brought back to me, the particulars of which I reported for the information of the Resident. Subsequently, in accordance with the instructions adverted to above, the party directed (her father), personally attended with the yad, and delivered it to his Highness, but this yad, after perusal, and being taken into consideration, was returned; the particulars which transpired on this occasion also I duly informed the Resident of." App. (D.), No. 2.

69. To suppose that Joitabaee, who so well knew Baba Nafra's intimacy and influence at the Durbar, who knew that Nursoo Punt, the native agent at the residency, was his relative and confident, who knew that all transactions at the residency having the remotest reference to his affairs were regularly reported to the Baba; to suppose that Joitabaee with this knowledge would have dared to state, as facts, fictions which could not fail to be discovered, and the discovery of which would ruin her cause by displaying her as a convicted liar, is to make a supposition violently improbable, and one in utter antagonism to the whole history and complexion of her case. Had not the Durbar been well aware of the truth of Joitabaee's assertions, they would have sent her yads to the Acting Resident as a proof of her mendacity, and being well assured of their perfect accuracy, what must have been their opinion of Captain French's impartiality and sense of justice, when they dared to send him the yad of the 15th February.

 70. After

70. After reporting that Joitabaee declined to consent to the settlement of her dispute by arbitration, Captain French thus proceeded: "I yesterday sent for the father of Joitabaee; he came, accompanied by the vakeel they entertained in Bombay, and to them I explained that his Highness had written he had several times endeavoured to induce them to settle the dispute by punchayet, but they wanted to re-open the case from the beginning, and to argue it before me. The father of Joitabaee is, perhaps you are aware, a perfect imbecile."

71. Doubtless they would have been only too grateful and happy had the Acting Resident taken the trouble to hear what they had to say of the systematic oppression they had experienced from the beginning, and it would have been well had Captain French done so; but I am assured, and the context demonstrates, that what they were really anxious to explain at the visit referred to, was the reasonableness of the demands made by Joitabaee, and the impossibility of her complying with the Resident's orders, while the means requisite for doing so were withheld from her; while she was in ignorance of the names of her enemy's nominees; while the precise nature of the instructions issued by Captain French was withheld from her, and while she was denied the pecuniary means requisite for entertaining her arbitrators during the inquiry in the manner which the usage of her country prescribed.

72. Captain French proceeded, "There is not, I believe, in the opinion of any one here, a doubt of the children having been supposititious, for it is said there were two, one having died another was introduced, nor that the manager of the firm, Baba Nafra, was a party to the introduction of both, but of course Joitabaee and Baba Nafra allow but of one child, the former alleging that the latter carried it off, and the latter that it died subsequently to its removal on the discovery of the fraud."

73. Considering what Captain French had assumed to be the current belief at Baroda within 12 days of his arrival, it was not likely that that assumption would be less vigorously maintained after three months' intercourse with Nursoo Punt. What Captain French meant when he said Joitabaee and Baba Nafra acknowledge but one supposititious child, it is difficult to understand, and still more difficult is it to comprehend his meaning in saying "that the former alleged that the latter carried it off, and the latter that it had died subsequently to its removal on the discovery of the fraud." Joitabaee acknowledges no fraud whatever; she asserted that the child abducted was a child to which she had herself given birth. In asserting that the child was carried off by Baba Nafra, or under his directions, she simply stated what Captain French knew the Baba had never denied, and she piteously demanded the restoration of her abducted boy. Why her case should be prejudiced or her veracity called in question, because Baba Nafra declared that the boy whose removal he had effected had subsequently died, it is difficult to understand.

74. At first sight it may appear that the charge of complicity in Joitabaee's fraud implied against Baba Nafra is inconsistent with what has been said of the agency of Nursoo Punt; but a moment's reflection will show that it was not so; for as Mr. Andrews had reported to Government, and as every one at Baroda well knew, that no such fraud as that attributed to Joitabaee could possibly have been effected without the connivance of Baba Nafra, who had held despotic control over the whole household, it became unavoidable for Nursoo Punt, when assuring Captain French that the belief in the fraud was universal, to admit that the belief in Baba Nafra's complicity was equally wide spread and strong. That is, the story against Joitabaee could not be made to present the faintest traces of plausibility, by the assumption that her accuser had been her accomplice, that he who now stood forth to denounce and invoke vengeance on one of the widows of his late master, had engaged in a foul conspiracy against the other, a conspiracy the final success of which would have transferred to an alien of a despised race, an enormous amount of the wealth of the man whose confidential agent he had been; such was the self-drawn scoundrelly character of the man against whom Joitabaee in vain appealed, and such was the character which Nursoo Punt was compelled to endorse in promotion of his kinsman's case, and finding that the officer with whom he had to deal was completely under the influence of his kinsman, Nursoo Punt, Baba Nafra probably

bably felt no uneasiness at the imputation thus cast on his character. It mattered little to him what was said of him so long as his schemes prospered, so long as he could effect the removal of a mistress who had the sense to perceive his villany, and of a child who, when he came to man's estate, would adopt his mother's views, and expel and expose his unfaithful steward; so long as he retained under his thraldom the other mistress and her son, the first of whom Captain French truly described as an imbecile, while urging that on that very account her property should be left in the hands of a man whom he himself accused of having engaged in a foul conspiracy to plunder her, and the latter of whom was a boy, whose sickly frame and weak intellect gave promise that he would become an easy prey to his unprincipled trustee. Under these circumstances it is not improbable that Baba Nafra, regardless of a reputation already damaged beyond remedy, and aware of the opinion officially recorded by Mr. Andrews, may have himself suggested to Nursoo Punt to insist on his complicity with Joitabaee's asserted fraud. By doing so Nursoo could preserve his credit for impartiality with the Resident, and give a seeming confirmation to the enmity which the two worthies professed to bear towards each other, thereby increasing his ability to forward the Baba's main object, viz. the permanent usurpation of his master's power and wealth, which had been entrusted to his guardianship on behalf of that master's family.

75. That Baba Nafra was justified in relying on Nursoo Punt's influence over Captain French to prevent the admissions against him operating in the slightest degree to his prejudice, is painfully apparent, for in six days after assuring Government that it was notorious to every one in Baroda that Baba Nafra had been concerned in a foul conspiracy, the effect of which was to defraud the other widow and orphan son of his late master, and that master an individual enjoying the British protection, he addressed an official yad to the Durbar, formally intimating that he had been pleased to remove his interdict against the Baba being admitted to the residency which the Government had issued in 1843, in consequence of the man's bad character. The removal of this interdict had never been contemplated by Government, and it was only sanctioned by Government after Captain French had made it an accomplished fact, because they understood that officer to say that the interdict had become a dead letter through the disregard to orders of previous Residents. This was a misapprehension which that officer ought, in justice to his predecessors, to have removed, instead of taking advantage of it, and transferring to others the odium of an act which the native community could only regard as powerfully illustrative of the efficacy of "khutput," and of the indifference of British officials to the moral character of those they desire to honour, or resolve to befriend; when Captain French thus stepped beyond his legitimate province, and cancelled an explicit Government order, that he might patronize a man of notorious depravity, and one whom but a few days previously he had accused of complicity in a gross fraud of peculiar heartlessness and atrocity, it is, I think, but justice to that officer to assume that he was labouring under some extraordinary delusion inspired by Nursoo Punt, or Nursoo's convenient and unscrupulous tool, Narrain Row, and this assumption becomes the more reasonable, when it is known that Captain French continued to receive the Baba at the residency as a welcome visitor.

76. In continuation of the para. above quoted, Captain French wrote: "Had Joitabaee, or her mother, Larbaee, come to the residency instead of proceeding to Bombay to complain, there would have been little difficulty in the disposal of the case, probably, at once, but instead of coming one or two miles, they went some hundreds; and now, as shown in my letter of the 15th November, it is enveloped in mysteries."

77. This sentence affords striking confirmation of all I have alleged regarding the ignorance of the case, in which Captain French was kept by his native agent. Had Captain French read the papers in his possession with the fiftieth part of the care his humanity and sense of justice would have made him bestow on them, had he not been led astray by designing individuals, he would have discovered that Joitabaee, whom he represents to have gone to Bombay, was from the first a close prisoner, treated with indignity. He would have learned, further, that her mother, to avoid sharing her daughter's fate, had

kept in close hiding till she could escape beyond the limits of the Guicowar jurisdiction, and that she had remained at Jumboosir, a town within the British territory, only 35 miles from Baroda, till not receiving any answer to the petitions she addressed to Government, she thought it her duty to proceed to Bombay and press her daughter's suit in person; why, when she did escape, she did not come to the residency and throw herself on Mr. Andrews's protection, I cannot say.* Perhaps she feared that in that direction her enemies would keep a good look-out for her; perhaps she feared that she might be surrendered to the Durbar; or she may have dreaded the inimical influence of Baba Nafra's friends among the native establishment of the residency. But whatever were her motives, I think she did wisely in putting herself at a safe distance from those who had imprisoned her daughter and her husband; she did not, however, as has been seen, proceed to Bombay till after she had resided for weeks at Jamboosir, from which place she addressed the two petitions dated respectively 4th and 20th April 1847, to which she alludes in her petition of August in that year.

78. In para. 4 of the letter under notice, Captain French observes,—

"The object of Joitabaee and her vakeel would seem to be the management of the firm, to the exclusion of Baba Nafra, during the minority of Purshotum Bhaee, son of the elder widow. Government will recollect an expression of Captain Lang's in letter No. 553 of the 29th October 1840, para. 1, in speaking of the mother of Purtabsing of Aglore, who had lately entertained an Ahmedabad vakeel of notoriously bad character, even among the unprincipled class to which he belongs. I do not say Joitabaee's vakeel is obnoxious to the above charge, but few there are of his calling that do not give bad counsel to gain their own ends." (*Vide* Enclosure, No. 18, to my former letter.)

79. Of course it was an object to secure her just rights in connexion with the bank; and what these rights were, was matter for the Durbar to determine, subject to the appellate review of the Resident; and of course she wished to exclude from all share in the management of the bank the man whom she accused of hatching a foul conspiracy against her reputation, happiness, and worldly goods. If Joitabaee's story was true, to plead for the continuance of Baba Nafra in the bank for one hour would have been a scandalous offence against common justice, common decency, and common sense; if Baba Nafra's story was true, the conspiracy against the elder widow, which it implied he had been previously guilty of, rendered it equally desirable that such a man should no longer have any connexion with the bank in which the lady was so largely interested. In either case it was proper that he should be sent about his business, and though the Resident could not procure his dismissal, it was but natural that Joitabaee should wish it. The implied attack on the vakeel is a matter which requires no comment.

80. In the next paragraph Captain French wrote :—

"The late Mr. Boyd, when Resident here, forwarded to Government, on the 10th April 1841, certain articles of arrangement with the Durbar, the 25th of which sets forth that whatever business guarantees may have should be brought to the notice of the Durbar. But the active agent in this case, Larbaee (the mother of Joitabaee), though holding no pledge, instead of at once coming to the residency, went to Bombay and entertained a vakeel, from which an unfavourable inference as to the justice of her cause may be drawn."

81. I confess I hardly perceive the precise nature of the argument intended to be conveyed in this paragraph. If the "active agent in this case" was not a guaranteed person, it would seem that she was not required to come to the residency. She was the "active agent," in so far as she did her best to promote the interests of her persecuted daughter. Perhaps she might have acted more wisely had she at once come to the residency; but the probability is quite

* Since this was written I observe the reason thus stated in a petition addressed by Joitabaee to the Resident on the 4th October 1847, "Her mother on this left the Durbar, and wished to go to the bungalow in camp (the residency) to complain, but that the Baba, as above mentioned, placed men to seize her and that from fright she went to Bombay."

quite as strong on the other side, for had she been arrested by scouts on her way into camp, she would probably have shared her daughter's fate, and both would have fared the worse; but be this as it may, I do not see how, under the circumstances of the case, an "unfavourable inference as the justice of her cause," can be legitimately drawn from her hastening off to Jamboosir, petitioning from that place, and then finding no improvement in her daughter's condition or prospects, proceeding to Bombay, and availing herself of the best advice she could find means to purchase.

82. In paragraph 6, Captain French observed, "The entire bearing of all concerned is so bad, and the case so notorious in the town, and was so from the first, Sir R. Arbuthnot refusing to visit the house on the occasion of the child being named, that I am of opinion Government would be fully borne out in cancelling the guarantee, which, be it recollected, is during good behaviour. In the book of guarantees the entry will be found No. 13, and under the head of remarks, that it is subject to their own merits. His Highness denies that the pledge is hereditary, but the above shows the British Government reserved to itself the privilege of cancelling it.

83. In the foregoing passage the dishonest agency of Nursoo Punt is transparent, as I deem it my duty to show. When Captain French wrote that "the case was so notorious in the town * * * from the first, that Sir R. Arbuthnot refused to visit the house on the occasion of the child being named; he wrote that which, had he sought his facts from the residency records and not from the mouth of Nursoo Punt, he would have seen was the reverse of truth, and that also, which reflection must now satisfy him, was absurdly and transparently false. If the case had been "notorious," is it not intensely ridiculous to suppose that his Highness the Guicowar would have attended on the occasion of the child being named? thereby not only sanctioning a notorious fraud, but paying a compliment to a low-caste child, and if Captain French had read the petitions of Joitabaee and her mother, he must have been aware that his Highness did so attend. It is further pre-eminently absurd to imagine that a respectable member of the banking community would have bethrothed his daughter to a child notoriously the son of a low-caste kolie, or that the bethrothal, like the previous ceremonies, would have been graced by the presence of the sovereign, and confirmed by the sanction of the heads of one of the strictest and most punctilious of the castes had it been notorious that the child was a spurious one; and it appears to me a gross libel on Sir Robert Arbuthnot to suppose that if it had been notorious, nay, that if it had even been whispered to him that a vile, felonious, brazen imposture had been perpetrated with a view to defraud one of the widows and the infant son of an individual enjoying the British protection, he would not have taken steps to have an inquiry instituted? Only one reason can be assigned for the non-attendance of Sir R. Arbuthnot on the occasion referred to, and it is this: though on rare occasions the Baroda Residents had met his Highness at the houses of respectable sowcars on the celebration of marriages, Sir Robert Arbuthnot had not done so on any occasion whatever; and it is extremely improbable that an officer who systematically abstained from attending even marriages, would think on other and minor occasions of family rejoicing. The supposition that he should have ever thought of doing so becomes violently improbable, when I mention that though I have caused the records to be searched since 1821, that is for a quarter of a century prior to the naming of Joitabaee's son, I can only find two instances of a Resident visiting at the house of a sowcar on the occasion of any other celebration than a marriage; indeed I am not certain that more than one instance can be cited, for though I find that Mr. Williams went to the house of Shewlall Paruck in 1828, the nature of the festivities are not stated, and as there was an interchange of presents, it is not improbable that the occasion was that of a marriage. The only other instance I find is one in which Mr. Boyd attended at a private house, but not to be present at the naming of a child. But though it is not usual for Residents to attend such ceremonials, invitations are still sent. In conformity with traditional usage, an invitation had been sent to Sir Robert Arbuthnot, and in conformity with the custom of his predecessors, and in conformity with his own still more stringent individual practice, Sir Robert did not avail himself of the invitation. But I feel very certain he would be much shocked were it brought to his notice that the fact

of his not having broken his invariable custom in favour of Joitabaee's child had been so successfully misrepresented by the native agent as to mislead Captain French, the Bombay Government, and the Court of Directors into sanctioning a heartless conspiracy, maintained by the foulest perjury; and that the deception practised on Captain French originated with Nursoo Punt there can, I think, be little doubt; he had, as will be seen by a reference to Mr. Andrews' letter, quoted from in para. 2, apparently attempted to palm the same argument on that gentleman; at all events, he did so on me very soon after I assumed charge of the residency. The intrinsic absurdity and sheer dishonesty of such an argument struck me forcibly at the time, and this circumstance, as Government are informed by my despatch dated 7th September 1848, suggested to my mind the first suspicions I ever entertained of Nursoo Punt being an untrustworthy man, and in the interest of Baba Nafra, for at that time I had not learned that these two worthies, while cunningly pretending to be foes, were really relatives and friends; and in mentioning my suspicions and the circumstances which first evoked them to Mr. Mansfield (then political agent in the Rewa Kanta) that gentlemen, who had till then entertained a high opinion of Nursoo Punt, and taken a great interest in his welfare, was obliged to admit that my suspicions were just and reasonable.

Letter to Government, dated 22d March 1847.

84. In continuation of his former remarks Captain French proceeded: "The legalised manager of the firm is Baba Nafra, a man Sir J. Carnac, in a khureeta of the 3d February 1841, warned his Highness against, yet then, as now, he enjoys guarantee, though on the previous 12th November the Honourable Court of Directors, in their despatch, No. 2,468, in paras. 7, 8, 9 and 10, enunciated their hope of a curtailment of such anomalies."

"This is not the place to enter on the general subject, but the opportunity seems to be fitting for suggesting in this one instance a reduction in the anomalies, and be it that the Honourable the Governor in Council is of opinion the tender age of the heir of the firm precludes our now cancelling the guarantee, I beg to say on that score that there need be no fears for the manager of the house; Baba Nafra is on friendly terms with the Durbar, and that were it even otherwise, now if any time for years back it is not actually in the power of his Highness to oppress it, I need not remind you of the difficulty there is in our towns to introduce weights and measures, tending to general improvement, nor had the Durbar the power, and were they disposed to oppress Hurry Bhugtee's firm on the cancelment of the guarantee, that there would not be in half an hour an open shop in the city."

"The Durbar would indeed be much surprised did it suppose even at this date, so tenaciously preserving what the Court of Directors terms anomalies, arose from a desire to protect them from its vengeance and its being believed his Highness had such power. When the pledges were given it was as much to protect the guarantee from the ruler of the country as the Arab Jemadar singly or combined. But those days have gone; the Jemadars are not in being, and the ruler is positively ruled by the sowcars, one of whom is this very Baba Nafra (the manager of Hurree Bhugtee's house), the subject of these para., and against whose advice the Government of Bombay, in a letter to the late Guicowar, warned his Highness.

"But even had the Durbar the power, and were disposed to exercise it, after the removal of the guarantee, surely the Resident by treaty could interfere. The power, I again assure you, exists not, and I may with equal certainty say, neither does the inclination."

"Therefore, under all circumstances of the case, seeing no chance of this dispute being attended with other than very baneful results to the firm of Hurry Bhugtee, &c., and bearing in mind that on various occasions it has done quite enough to forfeit the guarantee, I beg that, in the spirit of the Honourable Court's view, given in the despatch of the 12th of November 1840, No. 2,468, the guarantee may be cancelled."

85. Though these remarks seem to have little pertinence to Joetabaee's case, they had a very important bearing on her prospects at the date of the letter; and though Captain French and myself have ever been at one in our general condemnation of "guarantees," yet I feel certain that that officer would not have written as he then did, had not his mind been poisoned by the erroneous information and interested suggestions of his native agent, who, while cunningly

ningly professing a desire to use a blow struck at the house of which Baba Nafra was manager, seems to have recommended a measure which, if carried out, would have given a complete triumph to that bad man, have afforded him a complete immunity for all his past misdeeds, and have rendered him irresponsible for his after conduct as manager of the bank.

86. Baba Nafra had, in Captain French's estimation, been an accomplice of Joitabaee in a foul conspiracy, not only to plunder the other widow and the youthful heir of his late master, but socially to degrade both these ladies and their families. Captain French was aware that, in addition to this foul moral depravity, the notorious bad character of the man had caused the Bombay Government not only to prohibit his admission to the Residency, but to warn the Guicowar against listening to his counsels. He was aware not only that, in spite of this warning, Baba Nafra was "on friendly terms with the Durbar," an expression which is significant of much to Oriental minds, but that he was one of the most influential of the Sircars by whom "the ruler is positively ruled." In other words, that so far as regarded the Durbar, the Baba could do pretty much as he pleased; and yet he proposed that the only check on the Baba's rascalities which still existed, viz. an appeal to the British authorities, should be removed by the immediate cancelling of the guarantee. Had he suggested that, before adopting this measure, the man whom he accused of having already attempted to defraud the youthful heir of the firm, should be removed from all connexion with it, I should have understood and acquiesced in his recommendation. I myself had long advocated the cancelling of the Hurry Bhugtee guarantee, for various frauds which had been perpetrated in past years; and had I remained at Baroda, I should have continued to press for its abrogation whenever an opportunity of alluding to the subject was afforded me. But I should have taken care to make it explicitly understood, that the withdrawal of the guarantee in no way prejudiced the claims of Joitabaee, or of any one else whose suit had been commenced while the guarantee was intact. Not only, however, was no such specification made by Captain French, but, as will be hereafter seen, he broached the doctrine that not even the existence of the guarantee authorized us to take measures against Baba Nafra, even on the assumption that he was guilty of all that Joitabaee had ever laid to his charge. So completely did Captain French promote the objects of Baba Nafra, and destroy the prospects of Joitabaee, by urging his recommendation at that particular juncture, that, as will hereafter be seen, Joitabaee regarded the recommendation as virtually a sentence of death against herself. "If," she argued, "Baba Nafra's power enables him with impunity to abduct his master's orphan, imprison, defame, insult, and plunder his widow, in spite of the British guarantee, what will prevent him murdering the widow when the guarantee is abrogated?" And she argued not badly.

92. Up to the 10th of April her letters had been touchingly gentle and submissive, and though she could not but have felt that she was treated with excessive harshness and scanty justice by Captain French, and that her request had been most unreasonably set aside, she threw all the blame on Baba Nafra and his allies. In reply to a supplicatory letter written on the 2d of April, in which Joitabaee had complained of the double set of guards placed over her, and who not only kept her prisoner, watching her actions and dogging her steps, but who offended her with their obscene jests, Captain French had directed Baba Nafra to remove those that he had posted. Joitabaee acknowledged this act of kindness on the 5th, but being entitled to British protection, she justly enough represented that the removal of Baba Nafra's guards was not enough. She demanded satisfaction for the outrage that had been offered her by the placing of these guards. She besought the Acting Resident to punish the perpetrators of that outrage, which she pointed out was in open defiance of the explicit orders I had previously issued, and she entreated that the Durbar guard might also be removed. App. (A.), No. 25.

93. To this letter Captain French replied the same day, as follows:

"I have to acknowledge the receipt of your yad, dated the 5th April 1849, requesting that as Baba Nafra has already removed the guard which was placed over you, that his Highness should also do so. In reply, I beg to inform you, that nothing could have induced his Highness to place a guard over you, but considering App. (A.), No. 27.

considering that as you, being tender in age, and may be in possession of joys, jewels, &c. belonging to the shop of Hurree Bhugtee, and paying regard to his name, it may have been thought advisable by his Highness to keep a guard over you, with no other motive than to keep you secure from the depredations of robbers, who are too common in the town. Your case, I beg to say, is already before the Bombay Government, and a reply is shortly expected. It is impossible (improper) in you to trouble the Sirkar, by your hearing the evil advice of your vakeels, &c. The bearer, Narrain Row Chimnajee, a karkoon in the Residency Office, has been instructed to call on you, to read and explain to you the purport of this yad."

94. The jewel plea assigned by Captain French in explanation of the reinforcement of Baba Nafra's guards by others sent from the Durbar, and in defence of the latter having been continued after the former had been removed, is in itself too intrinsically absurd to require a moment's notice. But I may observe, that even were we, in violation of common sense, to suppose that the abruptly-impressed Joitabaee had secreted about her person any valuables to which she was not entitled, it would not have enhanced the gross indignities to which she had already been subjected, to submit her to the examination of a lady of her own rank; such examination would undoubtedly have been instituted had Baba Nafra for a single moment fancied any jewels were secreted. The allusion to the "tender age" of the young widow, and to the regard due to her defunct husband's name, seem only to have reference to a vile story concocted by Baba Nafra, to the effect that she was unchaste. This story seems first to have been got up with a view of disinheriting her son on the plea of illegitimacy, instead of on the ground that he was a purchased child; and it was afterwards revived as a pretext for insisting that her vakeel (an old man) should never be allowed to have access to her, except in the presence of a jassood; and of this mode of practically evading the licence to employ a vakeel, which I had claimed for her, Joitabaee had complained in more than one of her petitions, asserting (and with truth) that the jassood kept so close to her, that she could not communicate anything to her legal adviser, or receive any communication from him, which did not reach the ear of the spy sent to listen to and report their conversations to Baba Nafra.

95. When these things are borne in mind, and when it is recollected that Captain French had totally ignored Joitabaee's request that Baba Nafra should be punished for having re-imprisoned her, after my explicit orders to the contrary, I feel confident that no one possessed of manly sentiments, or of a common sense of justice, will find in his heart to condemn the unfortunate lady for writing the remarks which constitute the first three paragraphs of her letter of the 10th of April, the "low" and "unbecoming" character of which, Captain French assured her, had prevented his proceeding further in its perusal.

App. (A.), No. 28.

96. As Captain French says he read no further than the three first paragraphs of Joitabaee's letter, there can of course be no doubt that such was the case; but it is to be deplored that his perusal of the document was thus limited. Had he read a little further, the gross absurdity and the insulting character of his vindication of the Durbar must, I think, have struck him so forcibly as to have induced him to abstain from accusing the poor, friendless, oppressed widow of using "low" and "unbecoming" language.

97. In reference to Captain French's assertion that the guards placed over her by the Guicowar were designed to protect her against robbers, Joitabaee naively remarked that Baroda abounded in people reputed to be possessed of wealth, and begged the Acting Resident to ascertain to how many of these the Guicowar extended a similar benevolent protection. She appealed to the statements made by her guards themselves to the residency carkoon, to the effect that whenever she left her accustomed corner of the room they followed closely on her; she asked the Acting Resident whether such restriction did not more accurately come under the designation of imprisonment than under that of protection; and she inquired if the Acting Resident would maintain that the infliction of such imprisonment, at the sole instance of her own unfaithful steward, and in direct violation of my clear and explicit orders, was a just or proper act on the part of the Durbar. Respect for the honour of her deceased husband's

husband's name, she very justly observed, should have prompted the Durbar to afford protection to his widow and infant son, to listen to their complaints and redress their wrongs; it was a poor pretext to offer for imprisoning the widow and granting immunity to the abductor of the orphan. She solemnly denied that she was acting under the "evil advice of vakeels;" she acknowledged that she required and that she had made use of her vakeel's knowledge and experience, and she asked the Acting Resident wherein lay her guilt in so doing. "I beg," she wrote, "to submit that in the whole world nothing is done without deliberation." The following appeal is as true as it is touching:—

"For the upholding of the great respectability of the firm of Hurree Bhugtee," the Maharaj Sirkar has resorted to this very benevolent measure of placing guards upon me. But with only a single suit of clothes I joined my mother at Dhackjee's wada, and "upon sending my people to my house the next day for my clothes, the Sirkar prevented their obtaining them. This however the Maharaj did not take into account, and as the expenditure of my house amounts to lacs of rupees, and thousands of people are being provided for thereby; such being the case, yet up to the present time I have not been allowed a single half seer of flour from my house. Even to persons charged with the greatest crimes imaginable, the Company's Sirkar, within the 12 hours of the day, allows them food. It is incumbent, therefore, on the part of Maharaj Sirkar to take this into consideration, which, however, he does not do. Nafra having great influence over the Maharaj, how is it to be expected that the Maharaj should pay any attention to such matter? But the Resident had been written to about my expenses being defrayed from my firm, and the Resident, on the 31st December 1848, in his reply stated that he could not sanction the disbursements mentioned in my yad. But I did not wish the disbursements in question to be made from the Government treasury, but from my own firm, regarding which, however, the Resident did not think proper to write to the Bombay Government, and refused the prayer at once. But the Company Sirkar having pledged their word to the Dewanjee's people, rendered them every assistance; now the same Sirkar's guarantee has been extended towards me, what objection therefore existed to the Sirkar permitting my expenses to be disbursed from the funds of my firm? At the present time it is owing to my evil destiny that there is no gentleman who is willing to dispense justice; but as I am put to much difficulty on account of my expenses, this disgrace the Resident should take into consideration."

98. In reference to Captain French's assurance that her case was under the consideration of Government, Joitabaee very justly observed that this was a poor answer to her petition for the removal of the Durbar guards; seeing that Baba Nafra and his friends made open boast of the nature of the reply Captain French's representations were certain to elicit from Government, she wrote,—

"The clique of Baba Nafra congratulate themselves that the Resident has written to the Bombay Government to induce them to withdraw their guarantee which the firm at present enjoys, and that upon this measure being sanctioned, as they enjoy the protection of the Guicowar Sirkar, they need not fear being punished; and that as I had been formerly confined in a dark room, that the time is approaching when I shall again be subjected to the same treatment. If such be the consequence of my having petitioned the Resident, I am hopeless."

99. Had Captain French read thus far it is to be hoped he would not have so summarily disposed of Joitabaee's letter on the score of its "low" and "unbecoming" language; and had he perused what immediately followed, he would, I am sure, have admitted that Joitabaee was indeed a victimized woman, and have seen cause to suspect that he had been betrayed into an act of injustice by the plausible bad man on whose representations he had relied.

"One circumstance troubles me much, *i. e.*, the Resident having written that my case is pending before the Government of Bombay, and that an answer in the matter may be looked for shortly; but Colonel Outram had ordered that consequent upon my mother Larbaee not having given in her deposition the case had not been concluded, but that so soon as such deposition was taken the case would be completed at the Guicowar Sirkar's, and would then be sent before him, and that when the case was brought before him he would take into consideration what I had to urge on my part, and have the case adjudicated; therefore my mother was induced to give in her deposition; but I am not informed

whether after giving in of such deposition, whether the case has been sent before the Resident or otherwise; but the Sahib states that the case is pending before the Bombay Sirkar, therefore I beg that the Sahib will be pleased to afford me every information on this subject."

100. The motives that induced Baba Nafra to make open boast in the city of the reports and recommendations which Captain French, under the malign influence of Nursoo Punt, submitted to Government, may be readily understood; the same motives prompted him to drive Joitabaee to madness and despair, by communicating to her that the Acting Resident had not only urged on Government the immediate cancelling of the guarantee; in other words, the immediate removal of the only check to the Baba's persecution of her which still existed; but that he actually maintained that in spite of the guarantee, Government had no right to invoke punishment on her persecutor, even were all her allegations true. Coupling the information thus maliciously conveyed to her with the extraordinary display of friendship made by the Resident towards Baba Nafra on the 28th of the preceding February, and taking further into consideration the unlimited power and influence that the Baba possessed, as illustrated by the Durbar's acquiescence in all his irregular and lawless acts against his mistress, it cannot be a matter of surprise that Joitabaee trembled for her life, nor ought it to be a matter of reproach to her that, in her anguish and despair, she should have thus written:—

"The Bombay Sirkar had written to the Maharaj to remove Baba Nafra and his partners in crime from their several offices,* and it does not appear that the said Sirkar had given this order with a view of furthering their own interests, but it is evident that such order had been made with a view of preserving the friendship which obtains between both the Sirkars; but such being the case, any parties at the present time, should they ever feel disposed to murder one in my position, they may do so with impunity, as far as the Guicowar Sirkar is concerned, therefore I am induced to solicit the Resident that he will be pleased to submit to me any order which may have been sanctioned by the Bombay Government, or any of the late Residents, permitting Baba Nafra to commit murder, so that I may feel satisfied, and not cease to adopt any measures calculated to secure me redress. The Sahib should forgive me for thus troubling him, because the Sahib would appear to be ignorant of the practice obtaining under the Guicowar Sirkar's rule, as also with the people and customs of the country, and consequently I am denied redress, and exposed to much inconvenience and suffering, and therefore I am compelled to urge that you should inform yourself upon these points, when only these intriguers are likely to be punished, and I relieved from my present miseries."

101. Yet these were the representations, and such the language which Captain French rejected on account of the "low" and "unbecoming" phraseology of the first three paragraphs.

App. (A.), No. 30.

102. On the 20th of April Joitabaee addressed another letter to Captain French. In the opening paragraph she reminded him that she had throughout implicitly obeyed the orders conveyed to her by myself and him. "But," she wrote, "the road leading to what is called justice I have failed in finding. On the contrary, my several petitions have not only been unattended to, but I have been menaced; extraordinary conclusions have been come to, and extraordinary decisions have been passed in my case."

103. Amongst other things, she alluded to the fact that without taking the trouble to investigate her case, and without affording her an opportunity of explaining it to him, Captain French had recommended its settlement by such a Punchayet from which there lay no appeal, and expressed her opinion that such a recommendation could only have been made at the instigation of Baba Nafra's relatives, Gunnesh Punt, and Nursoo Punt, Captain French's native agent. "It is," she wrote, "evident that the Sahib has been misinformed, and has reported on this case without taking the trouble to inform himself of its merits;

* Alluding to the correspondence between the two Governments on the subject of the Dhackjee Dadajee affair in 1843.

merits; and when, in consequence of this, for the purpose of having it explained, according to the orders of the Sahib, and in accordance with the rules of justice, I happen to express myself anxiously in informing the Sahib, he becomes angry, fancying that his orders are not respected."

104. She implored Captain French so far to do her justice as even at that late period to peruse her petitions, and thus be in a position to judge for himself; she complained that her lot was doubly hard, inasmuch being ignorant of what reports Captain French had made on her case, she was at a loss to make known her grievances to the Bombay Government, and rectify the errors into which that Government might be betrayed, through the ignorance of her case on the part of Captain French, and the false reports made to that official, and by him unsuspectingly communicated to Government.

105. And thus accurately did she describe the course of her hopeless suit: "Unnecessary delays have been permitted to interfere, having for their object the placing of the case, by procrastination, in such a position as to prevent its being ultimately established, and the charges therein contained brought home to the parties who have perpetrated them. Thus on every side am I betrayed into difficulties, and all that the Sahib has done for me has been to remove the guards and jassood who have been placed upon me by the Maharaj and the rebellious Baba Nafra. Beyond this, the Sahib has done nothing towards relieving me from the difficulties I am surrounded by on every side, and the measures which, in accordance with the rules of justice, it was incumbent upon the Sahib to have adopted, he has entirely overlooked and set aside."

106. She complained that while in his letter to her, Captain French had never answered her remonstrances, he imparted irrelevant matters, and adduced as an illustration the letter of the 5th April, in which the Acting Resident had, in vindication of the Guicowar's conduct in re-inforcing Baba Nafra's guards, impugned her honesty and her chastity, and she begged that she might be furnished with an attested copy of the representations in which he had ventured to do so.

107. In reference to Captain French's request that she would not listen to the bad advice of her vakeel and "give unnecessary trouble," she observed:

"I beg to submit that this remark is at variance with the rules of justice, and the usual practice in such cases. If such a remark be made, it can only emanate from my opponent or his supporters; but such a remark to come from the Sahib does not appear proper." She entered into the matter at some length to show that it was not her fault so much trouble was given, and she wound up with expressing a "sanguine hope that the Resident would be pleased to take the whole of the above circumstances into consideration, and not feel vexed at her writing to him, and not think it a labour to peruse her petitions;" concluding by intimating that she would "feel obliged if the Sahib will be pleased to transmit with this petition all the papers which have, up to the present day, passed upon this subject to the Governor in Council," having previously in the 1st paragraph stated, "if, however, the Resident be disinclined to write to the Bombay Government to the above effect, it is requested that this, my yad, may be transmitted for the above Government's information."

108. This petition was, like the petition of the 10th, returned to the writer, and on it was the following endorsement by Captain French, dated 21st April: App. (A.), No. 31.

"The order on this matter is, that on the 10th April 1849, your petition, improperly written, had been received, and was returned by endorsement. The present petition, upon a perusal of a portion of its contents, has been found to be similar to your former petition, as regards the unbecoming language used therein, consequently it is returned to you without the whole of its contents being perused. Therefore, if you are desirous of sending any petition, you should cause such petitions to be properly and temperately written."

P. S.—"What is the benefit of your sending petitions? The Bombay Government has been written to regarding your case, and upon a reply thereto being received, the decision of the Bombay Government will be made known to you."

109. The Bombay Government had indeed been written to, and very erroneous were the reports that had been written. Had Captain French granted

Joitabaee's request, that if he failed to comply with her petition, he would at least send it on to Government, that body might at length have perceived the injustice of which she was the victim; but Captain French heeded not the widow's request.

App. (A.), No. 32. 110. The unhappy lady again addressed Captain French on the 25th of April, entreating him to "take into consideration that I am being severely oppressed, and that besides yourself, I have no other to look to for redress; and that consequently, if I do not lay my grievances before the Sahib, where am I to seek for justice?" And she once more entreated to be furnished with attested copies of the representations on which Captain French had been induced to justify her imprisonment on the plea that she was in possession of jewels not her own, and that she was unchaste. But no reply seems to have been vouchsafed to this affecting and most reasonable petition.

111. On the 7th of May Joitabaee, wearied with addressing an officer who treated her after the fashion indicated in the foregoing paras., disappointed at his inattention to her request to forward to Government her petition of the 20th April, and attributing the denials of redress she met with at the hands of the Bombay Government to the erroneous representations of Captain French, and the withholding by that officer of several representations, sent a sealed petition to the Acting Resident for transmission to Government. This petition, dated 7th May, which was written in Maharatta, contained
App. (A.), No. 33. Guzerattee copies of those she had addressed to Captain French on that day and on the 10th and 20th of April; and her motive for thus addressing Government direct is thus stated in her concluding paragraph:

"In the memorial which your petitioner forwarded to the Resident upon the 20th April 1849, she begged, in the event of his not acceding to the request therein contained, that he would forward her memorial, together with its within-named papers, to your Lordship in Council, in order that his report and the memorial might be simultaneously considered. The Resident not having acceded to your petitioner's request, she herewith forwards copies of that memorial, and of one bearing this day's date, 7 May 1849.

"*P.S.*—Your petitioner humbly requests that before dispatching an answer to the Resident, your Lordship will direct him to supply the petitioner with all papers relating to her case, in order that she may enable your Lordship to compare the Resident's report with her statement, and so decide the case."

112. This memorial was dispatched by Captain French on the 10th of May. On the 13th of June Government returned it, and its enclosures, to Captain French for translation, and at the same time referred him to the letter of the 21st May, in which Government had refused to interpose further, that is, at all, in Joitabaee's behalf; the said letter having been in reply to the communication in which Captain French had unjustifiably and inaccurately reported that Joitabaee had declined to consent to the settlement of her affairs by arbitration.

113. On the 21st of July Captain French transmitted to Government what he was pleased to call the translated substance of Joitabaee's petition, and in doing so, he added, "From the memo. appended, it will be seen that the enclosures are mere repetitions, in all respects, of former complaints."

114. By what right, or on what grounds, or with what object, Captain French abstained from sending to Government full translations as well of Joitabaee's petition as of its enclosures, it is for that officer, not for me, to explain. He had ample time for their preparation, 40 days having elapsed between the receipt of the documents and the dispatch of what he styles their "translated substance." The fact of the petition having been sealed, showed that Joitabaee had ceased to have confidence in the Acting Resident, that she desired to appeal from him to his masters, and that she was anxious her appeal should reach those masters in its integrity, and not be tampered with at the residency. The petition itself set forth that the reason of its being sent was the petitioner's suspicion that Captain French had withheld some of her representations, and Captain French was well aware that the surmise was well founded. Under these circumstances surely delicacy, manly feeling, justice, and official decorum, prescribed that the widow should have the full benefit of laying her case before Government

Government in the way she desired; and even if Captain French thought himself justified in withholding those documents which Government had directed him to transmit in a translated form, surely nothing but the deception practised on him by Nursoo Punt could have induced him grossly to misrepresent them; and in stating that the enclosures to Joitabaee's petition of the 7th of May were mere repetitions of her petition of the 21st of December, he did undoubtedly misrepresent them, just as on the occasion of his first letter to Government he had misrepresented the petitions she had written prior to my departure.

115. I subjoin in parallel columns the memorial of the 7th of May and what Captain French called its "translated substance." He doubtless believed it to be so, on Nursoo Punt's assertion that it was; but a comparison of the two documents will show that the latter did not display what Joitabaee was anxious to make known to Lord Falkland, viz., her conviction that her case had been misrepresented in the reports which the Acting Resident had sent to Government, and her anxious desire that she should be furnished with copies of those reports, to enable her to demonstrate and correct the erroneous statement they contained.

MEMORIAL addressed to LORD FALKLAND, dated the 7th May.	"TRANSLATED SUBSTANCE" of the MEMORIAL of the 7th May.
Para. 1. Your memorialist humbly showeth, that on the 21st December 1848 she forwarded a petition to your Lordship, who returned it with an endorsement, dated 25th January 1849, and to the effect that it should be forwarded through the Acting Resident, Captain French; this your petitioner accordingly did, but the Resident's answer not clearly stating that the petition had been forwarded, she now begs that, in case it has not been, your Lordship will require it from the Resident, and if upon perusal, the circumstances therein stated shall not seem thoroughly intelligible, your Lordship will consider that, owing to certain reasons, all of which are stated in your petitioner's memorials of 20th April (with its enclosure of the 10th idem) and 7th May 1849, here enclosed, she is unable to enter into full details. Your petitioner further humbly hopes that your Lordship, having brought under his consideration the continued grievances she has suffered, owing to the overlooking of her former complaints, will be pleased to direct the Resident to hasten the investigation of her case, as stated in the abovementioned memorials.	Para. 1. In reply to my petition of 21st December 1848, I was referred to the Acting Resident, to whom the document was forwarded, but whether it has since been sent to Government I know not. A perusal of it is necessary to become acquainted with the circumstances of my case. By referring to the petitions of the 20th April and 7th May, preferred by me to the Acting Resident, the difficulties of my situation will become apparent, and I beg that the Resident may be instructed to inquire into the matter.
Para. 2. If, as requested in the above memorials, your petitioner shall be allowed copies of all papers relating to her case, she will thereupon furnish your Lordship with so clear a statement as shall save all trouble in the coming investigation. In the absence of those papers, being ignorant as to what the Resident may have written, your petitioner is unable to draw out the said statement, she therefore begs your Lordship to prevent any objections to her receiving the requisite papers being put forth.	Para. 2. Otherwise copies of all the correspondence on this subject should be furnished me, which will greatly facilitate the investigation, and without which Government will be unable to judge as to whether the Resident has taken a right view of the case or not; on receipt of these documents I will communicate the circumstances in detail. After taking which into consideration, as also what the Resident may write on the subject, I pray that a just and decided order be issued. In the meantime I hope no instructions will be sent to the Residency.
Para. 3. Your petitioner humbly begs that your Lordship in Council will investigate simultaneously the Resident's report and her statement, refraining from answering the former until such time as his* final decision shall have been published.	

MEMORIAL addressed to LORD FALKLAND, dated the 7th May—*continued.*

Para. 4. That your Lordship will, and at his earliest convenience, dispose of the case, is the petitioner's prayer.

Para. 5. On the 2d August 1847 your petitioner wrote to your Lordship, begging that arrangements might be made for the prevention of injury to the State of her ancestor, Hurree Bhugtee. She has, moreover, on more than one occasion, and lastly on the 24th April, addressed the Resident upon this subject, but as yet without result, she therefore anew solicits your Lordship's notice of the matter.

Para. 6. In brief, your petitioner humbly requests these arrangements for the prevention of injury may be made before the investigation of the case, and that in the interim she may be allowed resources adequate to her necessary expenditure.

Para. 7. This lawsuit has entailed upon your petitioner unavoidable debts, for the payment of which she is much pressed, and to free her from which, and enable her to live after the manner of her ancestors, she has before petitioned your Lordship. Two years have elapsed since she first represented her just claims, but as yet they remain unsettled, while difficulties accumulate.

Para. 8. In the memorial which your petitioner forwarded to the Resident upon the 20th of April 1849, she begged, in the event of his not acceding to the request therein contained, that he would forward her memorial, together with the within named papers, to your Lordship in Council, in order that his report and her memorial might be simultaneously considered. The Resident not having acceded to your petitioner's request, she here forwards copies of that memorial, and of one bearing this day's date, 7th May 1849.

"TRANSLATED SUBSTANCE" of the MEMORIAL of the 7th May—*continued.*

Para. 3. I pray that either of the above plans be adopted for the settlement of my affairs.

Para. 4. Several applications have been made to Government and the Residency for the protection of the wealth of the firm of Hurree Bhugtee, but as yet nothing has been done.

Para. 5. If the inquiry be instituted before these arrangements are made, much of the property will be lost; I beg that arrangements be likewise made for my expenses.

Para. 6. My former petition the Resident was requested to submit to Government should he be unable to effect a statement, but as this has not been done, I now beg to enclose copies of these papers for the information of Government.

Postscript.—Your petitioner humbly requests that before dispatching an answer to the Resident, your Lordship will direct him to supply the petitioner with all papers relating to her case, in order that she may enable your Lordship to compare the Resident's report with her statement, and so decide the case.—Dated 7th May 1849.

116. The memorandum alluded to by Captain French, as showing that "the enclosures are mere repetitions in all respects of former complaints," is as follows:—

"MEMORANDUM.

"The petitions sent to the Residency, alluded to above, are mere repetitions of the grievances already recorded in the English petition of the 21st December 1848, received from Government under endorsement, No. 355, January 1849, and expressing a desire that no orders be given to the Resident until the case has been strictly inquired into."

App. (A.), Nos. 28 and 30.

117. Two of the three enclosed petitions were those of the 10th and 20th April, the contents of which I have already had occasion to notice at some length; and how Captain French could reconcile with his conscience the assertion that these documents were but repetitions of the petition of the 21st December 1848, is more than I can comprehend. When he thus designated them he had either read them, or he had not read them. If he had not read them, he did a very reprehensible thing in pretending to give an account of them; if he had read them, he must have perceived that they chiefly referred to matters not alluded to in the December petition; he must have seen that they contained strong appeals against himself, and that they distinctly implied not

not only that he was under the influence of Baba Nafra and Nursoo Punt, but that his recommendation of a punchayet from which there should be no appeal had been suggested by these people; he must have observed that the wisdom and humanity of his recommendation for the immediate abrogation of the guarantee while Baba Nafra remained in the bank had been seriously impugned; and he would have seen that Joitabaee not only protested against the defence of her imprisonment which he had urged as gross and gratuitous insult to herself, but that she had exposed its flimsiness and absurdity in a very happy manner. All of which grounds of complaint had arisen subsequent to the 21st December.

118. The other enclosed petition was that to himself of the 7th of May. In that petition, in which Joitabhaee distinctly accused Captain French of having remained wilfully ignorant of the merits of the case, by refusing to read the papers in which she endeavoured to describe them, she made some truthful but doubtless unpalatable strictures on his request, she would "cease to give unnecessary trouble;" and she criticised the remarks he had made on her petitions of the 10th and 20th April, which it was clear she herself had not considered "low" and "unbecoming," else had she not sent copies of them to Government. Yet these three documents, of which translations had been required by Government, were withheld on the plea that they were "mere repetitions of the petitions of 21st December 1848."* App. (A.), No. 33.

119. Captain French, after thus summarily disposing of the widow's petitions, went on to say—

"The Baee, you will observe, always speaks as if she were the owner of Hurree Bhugtee's firm, whereas there is an elder widow of the late Bechur Samuldass, besides a son. For Joitabaee a distinct provision was made in the will of the deceased banker."

120. The "distinct provision" referred to was contained in an unattested deed, which Baba Nafra professed to have obtained from her husband at a time when, as a medical committee (appointed by me to investigate the matter of Joitabaee's pregnancy) clearly believe, the banker was not in a state of mind or body to attend to business affairs; and the circumstances under which the deed was obtained, as well as the deed itself, savours strongly of fraud, as will, I think, be admitted by any one who candidly reads Appendix (C.) But be this as it may, the deed, even if knowingly signed by Bechur Samuldass, would be set aside by any equitable tribunal as having been written under the erroneous belief that his wife would not bear him a son; but even were it otherwise, Joitabhaee had surely a claim to be heard in respect at least of that "distinct provision" to which Captain French referred. Whatever might be the precise amount of her pecuniary rights, it was undoubted these were withheld under circumstances, if her tale were true, of peculiar atrocity. Captain French knew that they were withheld, and he ought to have reflected that if he had sent translations of the enclosures to Joitabaee's petition, instead of withholding them on an erroneous plea, Government would have learned that Joitabaee had made many, but ineffectual, efforts to obtain through Captain French a subsistence from out of those funds, in part her own property, which Baba Nafra had been lavishing in suborning perjury against herself, and in buying up shares in Captain French's projected Baroda railway, with a view to ingratiate himself with the acting Resident. Appendix (L.) Appendix (C.)

121. In reference to the doubts expressed by Government, in their letter of the 21st May, as to Baba Nafra's complicity with Joitabaee, whom they had assumed to be guilty of a fraud, and in reference to their recommendation that if Baba Nafra's complicity were proved, the elder widow should be requested to dismiss him from his appointment, Captain French observed—

"With

* When Captain French had resolved on withholding the translations demanded by Government, and sending a "translated substance" in lieu thereof, it would have been better had he allowed Mr. Battye to draw up the "translated substance," instead of confiding to Nursoo Punt the duty of giving the "substance" and leaving to Mr. Battye simply the task of translating it, thereby making his assistant apparently responsible for the accuracy of the summary, while in reality he was on responsible for the fidelity with which that summary was rendered into English.

"With reference to the concluding para. of Mr. Acting Secretary Courtney's letter of the 21st May, No. 1,263, the part borne by the Moonim, Baba Nafra, is perfectly well known to every inhabitant of this city, but his services as active manager are indispensable to the existence of the firm, and the advice to the elder widow to dismiss him would be thrown away, for she, like Joitabaee, all concur in saying, is more than wanting in sense."

122. How the services of a man who was "perfectly well known to every inhabitant" of Baroda to have already prostituted his confidential post by the practice of a foul fraud and conspiracy against the elder widow and heir of his late master, could be indispensable to the well-being of the bank in which the fortune of the widow and heir were bound up, is, I confess, far from obvious to me; but I have no difficulty in understanding why Baba Nafra's relative and friend, the native agent, should have endeavoured to satisfy the acting Resident that such was the case. I can readily conceive that Meersurfraz Allie, and the other friends of the Baba who visited Captain French, did their best to rivet that opinion in his mind, and I think it is a fair assumption that the Baba himself lost no opportunity of impressing it on the mind of the acting Resident during the three months that had elapsed between the cancelling by Captain French of the Government interdict and the date of the letter under notice. The intimation contained in the foregoing extract that Joitabaee was "more than wanting in sense," is the first and only one to that effect I have ever had; and if all "concurred in saying" so to Captain French, all concurred in practising on him a gross delusion, for she is not "more than wanting in sense," if these words be meant to imply that she labours under mental imbecility; but had it been so, surely every principle of humanity, justice, manly sentiment and official duty, should have prompted the acting Resident to sift the charges that had been brought against her with a jealous eye, to listen to and examine with scrupulous care into every complaint she made, and to insist that at least she should receive everything to which she was entitled by the terms of the "distinct provision" referred to by Captain French.

123. In his fourth paragraph Captain French observed, "If Government will persist in not further interfering in this matter, and tell Joitabaee that the decision come to in Mr. Courtney's letter is final, it is more than probable that a reconciliation will come about between the parties."

124. The decision referred to was that the British Government would not further interfere in Joitabaee's behalf; in other words, that it would leave her to the tender mercies of her enemy, and of a Durbar that had already ranged itself in a most irregular and reprehensible manner on the side of that enemy. To such an arrangement the Baba would doubtless be readily enough reconciled, but how its finality was calculated, and "more than probable" to promote, Joitabaee's reconciliation to that individual is not quite manifest.

125. In paragraph 5 of his letter, Captain French went on to say:—

"It is reported here by every one that the deceased banker had not been near Joitabaee for more than a year previous to his death, as well as that the ceremony of 'uggurney' in the seventh month of pregnancy was not performed. This rite is not secret or private, but one in which all of the caste are invited to share. In fact, that the Baee not only bore no child to her husband, but was not a mother at all, is perfectly well understood here; but had it been the reverse, then the charge which she prefers against Baha Nafra is the child's abstraction, and supposing this the case, can Government punish him, a subject of his Highness, for an offence in this raj, though he be the servant of a guarantee? I presume all that could be done would be to request the Guicowar to see justice done, and I need not tell you that this foolish lady, or rather her mother, Larbaee, for her, declines all interference by the Durbar."

126. There are two distinct points here mixed up together. The first of these is an assertion alleged to rest on universal belief, to the effect that Joitabaee never had a child; the second, a practical denial that if she had a child, and that child had been abstracted by Baba Nafra, the British Government had any right to interfere in behalf of Joitabaee. In reference to the first of these points I have only to observe that unquestionable evidence exists, and will hereafter be adduced, to the effect that Joitabaee had a child, and that

the

the reason of "uggerney" not being performed, was the recent demise of her husband. The rite referred to (*vide* Appendix (J.) No. 38), is seldom if ever celebrated if the husband be very ill; it cannot be performed at all after his death; and if Captain French had taken the trouble to institute inquiries, he would have found that Joitabaee's husband died ere she had accomplished the seventh month of her pregnancy. As regards the second point, I feel certain Government will determine that so long as a guarantee exists, the terms of the guarantee render it imperative on the Resident to interfere in behalf of any of the subjects of the guarantee, who is the victim of so foul an outrage as the abduction of her child, imprisonment at the hands of the abductor, defamation of character, loss of caste, and deprivation of all her worldly goods.

App. (J.), No. 38.

DOCUMENTS contained in the Compilations accompanying Government Letter to Captain French, dated 15 November, No. 407 of 1851.

Contained in Compilation No. 1:

EXTRACT paragraphs 36 to 53, 57 to 86, and 92 to 126, from a Report (Part II.) from Lieutenant-colonel Outram, dated 31st March 1851, alluded to in Government letter to Captain French, dated the 15th November, No. 407 of 1851.

Contained in Compilation No. 2:

Appendices (A.) and (D.) alluded to in paragraphs 4 and 11 of Government letter to Captain French, dated the 15th November, No. 407 of 1851.

Contained in Compilation No. 3:

Letter from Captain French, Acting Resident at Baroda, dated the 15th November, No. 282 of 1848, with Enclosures.

Petition to Government from Joitabhaee, widow of the late Bechurbaee, dated 15th June 1847.

Report by Captain French, dated 22d November, No. 285 of 1848.

Petition to Government from Ladbhaee Kome Bhugteedass, *alias* Bhanabhaee Kandass, without date.

Report by Captain French, dated the 22d November, No. 283 of 1848.

Petition to Government from Joitabaee, widow of the late Bechurbaee, dated the 29th July 1847.

Report by Captain French, dated the 22d November, No. 284 of 1848.

Government letter to Captain French, Acting Resident at Baroda, dated the 18th December, No. 5,269 of 1848.

Contained in Compilation No. 4:

Depositions of Captain French before Mr. Johnson, alluded to in paragraphs 6 and 14 of the Government letter to Captain French, dated the 15th November, No. 407 of 1851.

Contained in Compilation No. 5:

DI. Translation of a Yad from Joitabhaee Settanee to the Acting Resident at Baroda, dated 10th April, with his Reply thereto, dated the 11th April 1849.

DII. Translation of Original Guzerattee Petition from Joitabhaee Settanee to the Acting Resident at Baroda, dated 20th April 1849, with his Reply thereto, dated the 21st April 1849.

DIII. Translation of Original Petition from Joitabhaee Settanee to the Right Honourable the Governor, dated 17th May 1849.

DIV. Translation of Original Yad from Joitabhaee Settanee to the Resident at Baroda, dated 7th May 1849.

E. Petition from Joitabhaee Settanee to the Right Honourable the Governor, dated 21st December 1848.

F. Translation of Original Yad to Captain French, Acting Resident, from Joitabhaee, dated 30th December 1848.

Reply to the above from Captain French, dated the 30th December 1848.

Contained in Compilation No. 6:

Letter from Captain French, dated the 22d February, No. 55 of 1849, with Enclosures.
Letter to - ditto - ditto, dated 21st May, No. 2,163 of 1849.
Letter from ditto - ditto, dated 10th May, No. 116 of 1849.
Letter to - ditto - ditto, dated 18th June, No. 2,640 of 1849.
Letter from ditto - ditto, dated 21st July, No. 199 of 1849.

Translated substance of a petition from Joitabhaee Settanee to Government, dated 7th May 1849, with Memo. by Mr. Battye to Captain French and Joitabhaee Setanee, dated 9th August, No. 3,399 and 3,400 of 1849.

Contained in Compilation No. 7:

Two Letters, with Enclosures, from the late Mr. Andrews, then Acting Resident at Baroda, dated the 22d March and 14th April, Nos. 70 and 91 of 1847, alluded to in paragraph 15 of Government letter to Captain French, dated the 15th November, No. 407 of 1851.

Contained in Compilation No. 8:

Exhibit, B. No. 1 to B. No. 28, alluded to in paragraph 16 of Government Letter to Captain French, dated the 15th November, No. 407 of 1851.

Contained in Compilation No. 9:

Extract paragraph 17 of a letter from Lieutenant-colonel Outram to Government, dated the 31st March, No. 47 of 1851, alluded to in paragraph 19th of Government Letter to Captain French, dated the 15th November, No. 107 of 1851.

Contained in Compilation No. 10:

Letter No. 60, dated the 4th January 1849, from the Chief Secretary to Captain French, forwarding for his report a petition from Venayek Dhondeo Ubyunker, and Captain French's reply, No. 14, dated the 9th idem, alluded to in paragraph 20 of Government Letter to Captain French, dated the 15th November, No. 407 of 1851.

Bombay Castle,
15 November 1851.

(signed) *A. Malet,*
Chief Secretary.

— No. 3. —

From Captain *P. T. French*, late Officiating Resident at Baroda, to *A. Malet*, Esq., Chief Secretary to Government, Bombay.

Sir,

1. I HAVE now the honour to return all the Compilations that accompanied your letter of the 15th instant (No. 407), and to request you will lay with this letter before Government the enclosed series of replies to the "bracketed portions of Colonel Outram's Report, Part II. of the 31st March last."

2. I have, at the close of the replies just referred to, answered such portions of your letter as were called for.

3. Having twice already disappointed my friends at home in the matter of returning after an uninterrupted residence in this country of 29 years, I have devoted all the time I could to at once drawing up the above replies. Though not prepared in the studied style of Colonel Outram's report, I trust my answers will, in the estimation of Government, be deemed sufficient.

4. Colonel Outram gives extracts from every letter and report I ever made on the affairs of Joetabhaee, artistically commented on; and so placed and contrasted as to evince a great amount of care in the display, with much knowledge of the art of pleading.

5. I am not aware of any point on which, after such a lapse in time, I could afford more information than I gave in my answers; and it were to little purpose offering speculations, where I have no one to refer to, in the absence of all the persons with whom I transacted the public duty viewed by Colonel Outram, and where the memory may be defective.

6. But with the hope of going home on the 3d December, as above stated, I lost no time in furnishing answers to such portions of the critique as you called for, and have now but to solicit that any deficiencies in my answers may be soon made known to me in order to my carrying out this intent.

7. Colonel Outram's report is dated seven and a half months back; and though, in May last, it was well known I wished to leave India on the 1st November, I am but just favoured with about two quires of papers filled with attacks on me in the matter of this lady, Joetabhaee. This was, perhaps, unavoidable; but even at this late hour I thank his Lordship in Council for affording me the opportunity of a reply.

8. In

8. In 1829 and 1830 I was at Baroda, with my regiment, for about 18 months, and for 18 years never returned, until going there as officiating Resident on the 2d November 1848. I remained with the court of his Highness the Guicowar at Baroda till the 14th January 1850, or some 14 months, not a long period particularly to one previously unacquainted with its political and social features.

9. During this period I worked hard in various ways, but have fared indifferently, for I found it was industry without applause, success without reward; and the gentleman during whose absence I was acting, has been allowed to criticise with an inimical pen every one of my public acts.

10. To each item of each attack I responded on the moment; but to this hour I know not how my replies met those attacks in the estimation of Government, excepting the two extracts of the honourable Court's despatch of the 13th February 1851 (No. 4), referring to my letter of the 18th June 1850, answering Colonel Outram's review of everything I did at Baroda, dated the 20th ultimo.

11. One para. of the above referred to extract exonerated me from any attempt to injure the character of Colonel Outram and all his predecessors for some 50 years in the mind of the honourable Court (for such a strange idea that officer had contracted), and the other extract blamed me for importuning the Gaekwar in the Baroda railway matter; but I give our honourable masters too much credit for a knowledge of human nature, as developed in India, to suppose they were serious; one party is blamed, and the other praised for yielding to his importunity.

12. I am not about to attribute motives to Colonel Outram. In all my replies I have avoided personality, as opposed to my principles of action, and I am now not disposed to take the war into an enemy's country, though so doing might strengthen my cause. This war of words, Government are, I dare say, heartily tired of, so I shall not reopen it; but I may, without disrespect, ask if any man can so conduct duty at a place like Baroda, or any place in fact, where a door may not be left open for questioning, Why did you do this? or, Why leave that undone? And if each officer is thus to have his most trivial acts, to the planting of some trees, or rather getting the prince of the country to plant and water them, questioned, where is the end of it, where the utility to the peace of the country, or a good understanding among ourselves? Colonel Outram's incumbency, ere going to Egypt, as Resident was longer than mine as officiating; yet, most assuredly, an inimical pen, after studying the records, might easily get up a case of omission or commission, each and every point of which could not, after a lapse of two or three years, be explained.

13. But though a lover of peace, it will not be said that while at Baroda I refrained from speaking freely, though not, I trust, discourteously. Two instances I may quote; one that I frequently told my Government we were departing, or rather acting in direct opposition to the various treaties made with the Gaekwar Government, with reference to the ninth article of the treaty of 1817, which confirmed a like provision in many treaties of a previous date; and secondly, when in the summary of the 2d November 1849 I pointed out that a stipulation made on the transfer to us by his Highness of certain Mehwassee villages was not acted up to, though the gentleman who drew up that deed of transfer was then (2d November 1849) a member of this Government. But in both instances I received, in lieu of thanks, a reprimand.

14. As particularly applicable to the discussions Colonel Outram has been carrying on with me, I beg his Lordship's perusal of this extract of the 42d paragraph of the summary just referred to:

"Para. 42. In fact if we would allow it, it is often a paper war between the agents (Mahee Kanta) and Resident's establishments, for I at least will allow that in many of the cases alluded to, any man of my establishment is more at home than I am. No European is sufficiently conversant with the language and merits of these matters to be able to dictate; he may give the outline, but must leave to the Karkoon the order and summing up of the whole, as well as be to an undesirable extent led by him.

 15. I would

15. I would not be supposed, in giving the last lines, to make any reflection on Nursoo Punt, of the merits of whose case I know nothing; but the whole extract tends to show the door left open by "British subjects, guarantees," "pledges," as well as, which is nearer to the point, the measures one has to resort to in seeking for information to implicate a predecessor in office where such pledges exist.

16. Surely if anything was wanted to place the guarantee question in its proper light, the late proceedings at Baroda are sufficient. At the capital of a principality in alliance with the British Government for some 50 years, the person of a lady of rank and caste is examined by medical men to prove she was a mother. This lady is a subject of that state, and the examiners are servants of this. His Highness the Gaekwar cannot be supposed a willing party to this investigation, nor that he is to the punishment, though deserved, I believe, of Baba Nafra.

17. I wish not in any way to place my proceedings in contrast with Colonel Outram's, but this I may say, that though I deemed my chief duty to be to see his Highness had nought to complain of in inoperative treaties and pledges, none suffered in any sense that could be avoided who had a claim on my Government, and out of such care and treatment came the visit of his Highness with every male member of his family (but one, an infant) to this place last year; men, too, who had before never been out of Guzerat, or seen the sea.

18. Will the proceedings of late, if not now going on at Baroda, tend to a hope of his Highness and family emerging from Guzerat again? or will that not rather tend to impair the little moral courage and self-esteem they had, the little effort they made in an onward direction disappearing? How true is the saying, that human institutions not connected with progress must fall, if not before the increasing light of civilization, by the hand of violence; by violence from within, if not from without. His Lordship in Council need not be reminded that certain interested parties have of late done that which might have caused "violence from within," a party well known to hundreds, European and native, here, but in which I do not believe Abba Sahib, the Gaekwar's brother, had any hand.

19. Government may with ease rescue that unhappy state of Baroda from many if not all its difficulties, and I feel assured an evincement of a purpose to do so will lead to the best possible results, and hearty concurrence on the part of the Durbar in all matters Government may suggest for its improvement in civilization in general. It has suffered at our hands much, but the greatest loss of all will be self-respect, and fears of the coming day.

20. In conclusion, and with reference to Joetabhaee, I beg to say I never pronounced more than an opinion of her guilty participation with Baba Nafra in the child imposition matter; a judgment I never gave, though I expressed belief in the opinion.

21. I may here, though late in the day, also state that after due inquiries I placed no credit in her assertion of abject poverty, or even want. Krishna Rao Wittul was in the habit of making like complaints, and they were believed here; yet while I was at Baroda, and trying to obtain his admission to the Durbar, he offered some 20,000 or 30,000 rupees, Nuzzerana, if received by his Highness.

I have, &c.
(signed) *P. T. French,*
Late Officiating Resident, Baroda.

Bombay, 20 November 1851.

Since writing the preceding letter, and following replies to the bracketed portions of Compilation No. 1, being certain paras. of Colonel Outram's report, dated the 31st March 1851, I have perused Compilation No. 4, from which I now copy one of the questions put me before Mr. Johnson, and answered on oath 3d July 1851.

"28. Were you at same date* aware that prior to your arrival at Baroda, Larbhaee† had given as full and ample a deposition as the punchayet had a right to demand of her, and that the punchayet had been deprived of the only pretext they had had before for delaying to close their proceedings, and forward them to the residency for that review to

* 15th Nov. 1848.
† Mother of Joetabhaee.

to which I had intimated they would be subjected, and in the course of which it might be necessary to test much of the evidence recorded by the punchayet?"

2. I have had already occasion to mention the exceedingly clever and artistical style in which the paras. of Colonel Outram's report sent to me are drawn up. Parts are contrasted with parts, and my letter of the 15th November 1848 is nearly if not all given in the pleading so very judiciously, that I almost began to think I was hasty in so very soon writing it after reaching Baroda.

3. Elsewhere in the accompaniments to this I have said that in one or more interviews with Colonel Outram he talked much on Baroda affairs, and no doubt Nursoo Punt, the native agent of the residency, held a prominent place therein, and that my mind was aware of Colonel Outram's impression of him.

4. I was aware too, that he had sent a formal complaint against the native agent to Government, suggesting that he should, in consideration of some 30 years of service, be allowed to retire on a pension, instead of any harsher measure.

5. I have also said elsewhere that I read over and studied the English records in Joetabhaee's case, wherein I conclude in some of the reports or translations was the purport of that portion of the question above given, which says, the proceedings of the punchayet, all but complete when the Colonel left for Egypt, were to be "sent to the residency for review, in the course of which it might be necessary to test much of the evidence recorded by the punchayet."

6. This I saw or heard of I conclude, and no doubt this settled the question in my mind, and led to the letter of the 15th of November 1848, for it outstrips any hallucination of the many in the whole proceedings in this unhappy lady's case I know of.

7. The native agent, the only man of talent in the office, is stated by Colonel Outram to be unfit, in a moral sense, to remain in the service. Then through whose aid would Colonel Outram test the proceedings of the punchayet? He will not, I know, say that he is himself a tolerable linguist, nor that his assistant, Mr. Battye, is a very good one. In the name of common sense, then, I ask how Colonel Outram could confirm or dissent from the decision of a punchayet of natives of the place, subjects of its sovereign, and ask his Government to indorse his decision on a case involving, he says, untold of wealth, and the honour of one of the ladies of the first banks in Western India?

8. How an officer of his long service could arrive at such an idea is to me supremely surprising, but so carried away by it is he, that in Question 25, he asks if I was aware that all Joitabhaee asked for was to have her case inquired into "by the Resident in person," and to confine the manager of the said bank "till after he had been tried for conspiracy, child abduction, &c. &c."

9. But perhaps the Colonel purposed not seeking the aid of the Government Establishment, but that of Baba Phurkey, for whose employment on another occasion he found, on returning to his charge, a severe reprimand, and in which document Government completely exonerated Nursoo Punt from the charges preferred against him by Colonel Outram, above referred to.

10. Though perhaps knowing more of native states and native habits than Colonel Outram does, and certainly not less of Oriental languages, I would now decline the Residency of Baroda were it offered me, on the condition of my inquiring into and submitting a judgment for confirmation of Government on this case of Joitabhaee.

11. The reading of Colonel Outram's questions to me has brought my impressions of November 1848 to recollection, and I feel I was fully borne out in making the suggestion I did, with the intents I had regarding it, and which are enlarged on in my replies to the brackets, though but 12 days then at Baroda.

(signed) *P. T. French,*
Late Officiating Resident, Baroda.

Bombay, 20 November 1851.

1. REPLIES of Captain French, late Officiating Resident at Baroda, to the bracketed and other portions of paras. 36 to 53, 57 to 86, and 92 to 126, of a Report by Colonel Outram, C.B., Resident at Baroda (Part II.), dated 31st March 1851, being No. 1 of accompaniments to a letter from Mr. Chief Secretary Malet, dated the 15th November 1851, No. 407.

Para. 37. 2. I DID not leave Baroda under the impression that Nursoo Punt, native agent, and Baba Nafra, were inimical to each other. Nursoo Punt told me that Baba Nafra "made and would unmake the house of Hurree Bhugtee," though when he said so I cannot exactly call to mind. I knew they were by marriage connected, but the above tells the late native agent's opinion of the Nafra in one sense, and in another he often said, that in the introduction of a coolie child the Baba joined with the lady, Joitabhaee.

Para. 39. 3. The whole of the English compilation I read and studied; but I cannot now call to perfect recollection going through the untranslated papers, though I think I heard some of them read out; I must, consequently, have spoken on the information afforded me by the Assistant Resident, Lieutenant Battye, the native agent, and usual readers of papers in the office, in expressing myself as I did on the untranslated documents; I do not mean by this to throw on any one else the blame I am naturally obnoxious to for not seeing that I had indisputable grounds for my assertion, and readily concede to Joitabhaee the consistency Colonel Outram says she deserves in this matter.

4. Had I been able to induce the lady to submit to a punchayet, as I had hoped to do, it was my intention to take great pains in suiting it to all parties; and that this could have been done, had she consented, I now firmly believe. I then as now am of opinion that she never bore a child to her late husband, and under that impression I thought a reconciliation might have been brought about when she saw her previous intents could not succeed; but had she really been a mother, that would naturally prevent her consenting to a punchayet.

5. Of her party I saw and could only see her father and vakeel; the former is an imbecile, and the latter would of course oppose a settlement; still had she consented to a punchayet, there would have been every available means adopted to insure faith in it ere sitting, however the parties might deem the settlement afterwards somewhat one-sided.

6. Government will recollect the long-pending disputes in the family of Gungadhur Shastree; when I left Baroda the 30 or 40 items of difference were reduced to, I think, three, and since then these have been disposed of, I believe. This was brought about by my frequently having all concerned at the residency, arguing with them, and appealing to their better feelings. At last they agreed to each depute a carkoon to the residency, and once or twice a week for months together they wrangled and disputed in the upper room of that building, assisted by a man of their own choice from the office, until gradually points were conceded on either side, and their affairs brought to the state above told, though frequently reconciliation seemed hopeless. This but required patience, treating the parties as children, and impressing on the principals that their agents would naturally suffer from and consequently oppose a settlement; but by making the latter first take in hand the consideration of trivial points, we by degrees narrowed the number, and the agents saw that their opposition was understood and appreciated.

7. In this fashion, or at least in this spirit, I hoped to succeed could Joitabhaee have been induced to leave to a punch of the caste the settlement of her disputes. But then I trusted to the belief abroad generally, that she never bore a child to her late husband, in the hope that she would be glad to return to her home and comforts.

Para 40. 8. It may be very true, as Colonel Outram asserts, that in using the words "all here," so soon after going to Baroda, I was rather hasty; but during the remaining 16 months I was attached to the court of his Highness, the Gaekwar, I never heard any one say the reverse of the opinions I stated in the letter of the 15th November 1848, and in that interim surely there was time,

time, and to spare, to learn the opinion of the people at Baroda; still I more than once said the case was enveloped in mystery, through which I could not see my way, unless by a settlement through a punch of the caste of their own choosing. Government will not suppose Baba Phurkey a friend of Nursoo Punt; yet see what he said to me here some few months back, as stated in my letter of the 9th last June.

9. I opposed not Joetabhaee's employing a vakeel, but I assuredly and naturally saw in his employment that the chances of the dispute being closed were lessened, so long as she had the means of remunerating him, for he would be to her what the Shastree's agents were to them, a bar to any settlement. Para. 43.

10. I before stated, that I read and studied the translated documents, and on what information I spoke on the untranslated. In the last para., I reply to the supposition that I opposed the lady's employing an agent. Para. 44.

11. The first bracketed portion of this para. refers to the previous one. Believing Joetabhaee's case a bad one, which means that she never was a mother by her late husband, and that she was acting under the advice of her mother and the vakeel, I stated that the firm would cease to be were these advisers to oppose a caste settlement; and in the letter Colonel Outram quotes from, I gave my own experience when serving on the other side of India, in support of my views and expressions. Para. 47.

12. Colonel Outram is of course at liberty to say I was led and deceived by the native agent, and by every one who does not concur with him.

13. To the second bracket in this para., and what follows, I offer in explanation the letter it quotes from, which says "we ever fail to settle these disputes; the bank goes on as usual, our attempts at an arrangement hold good for a time, and then we learn all has been upset by a mutual arrangement, through the intervention of the caste, or some person of religious repute to whom the dispute is referred."

14. Of course I had no sinister objects to record against the vakeel, and in fact, I recollect in some letter saying he was no worse than others of his calling I imagined, but still he was a vakeel.

15. Nursoo Punt did not require to inform me of what I already knew, all on the English records any how; and as to what the "people here" thought, I have already replied to that observation of Colonel Outram's. That the inquiry had been going on for months and years all were aware, but so they were that a settlement was as far distant as ever. Para. 49.

16. If his Lordship in Council will refer back to my 4th and 5th paras., in reply to Colonel Outram's 39th, the nature of the court I purposed will be seen. Para. 51.

17. This para. refers to the same subject. It is evident that Colonel Outram is not aware of the sort of tribunal I would have sought, and perhaps he thinks I looked to put some of the well-known hands of Baroda on it as members. Were all difficulties removed, and none I anticipated on the part of the Durbar, I should have repaired to the bank myself, unaccompanied by any of the office, and with Lieutenant Battye would have sought in person what could be done with the widows. I could have easily secured the absence of Baba Nafra, and I think the presence of Joetabhaee and her mother, a screen only intervening between us. This done, and the elder widow's son being with me, I am strongly of opinion that the differences might be met, the widows reconciled, and Joetabhaee restored to her proper home. But in this it will be borne in mind I had the impression that this young and inexperienced lady had played a part in the child matter at the instigation of her mother, but in which Baba Nafra bore a prominent part. Could this reconciliation have been brought about, the next object would have been to move his Highness to remove the Moneem Baba Nafra from the bank. Para. 53.

18. The bracketed portion of this para. refers to a sort of punch I never contemplated; and with reference to the concluding portion, I believe the lady was possessed of much wealth, at least in the shape of jewels. I should Para. 58.

certainly have so acted, that the presence of a vakeel in the arrangement would have been most undesirable; and perhaps the only outlay would have been procuring the presence of some one religious man, a person looked up to for his justice and impartiality, as the agreeing to abide by the decision of a punchayet would be a concession preliminary to this mode of adjustment. One expedient would probably have been the precursor of the other; but neither would do more than reconcile the widowed ladies, leaving the guilty, or presumed guilty, unpunished, unless in the above-mentioned removal of Baba Nafra from the bank by his Highness the Gaekwar. I cannot say positively, and yet I feel pretty certain, that I gave the vakeel when he called with Joetabhaee's father an outline of the above, saying that Government would be glad of any amicable settlement, and surely his Lordship in Council, in the apparent impossibility of fixing on Baba Nafra any guilt, except as to the degree in which the lady and mother are not concerned, would be glad of an adjustment. That I sent some such advice to Joetabhaee I well know, but if it ever reached I of course cannot say.

Para. 63. 19. I recollect some messages from Joetabhaee, such as Colonel Outram speaks of in the first part of this para., and at once sent to ascertain the truth of the complaint. I feel pretty sure of sending the Gaekwar's vakeel, Govind Rao Roria, Narrain Rao, head carkoon in my office, and the zemedar of Puttywallas, to see that were there any cause of complaint, as told, it was removed at once.

20. With regard to the report to Government, 22d February, noticed by Colonel Outram, I have no doubt that I did know from other quarters than the Durbar that the lady declined a punchayet. I was so anxious to reconcile the widows, and saw so little chance of any legal inquiry leading to a proper knowledge of the case, wherein so many were deemed guilty, and which was surrounded by so much contradictory evidence, that I well recollect suggesting to his Highness the step mentioned in that report, his mother sending for Joetabhaee.

21. Colonel Outram is at a loss to find out how I come not to consider the statement of his Highness "as a deliberately told circumstantial falsehood," and urges further down that so and so was my duty. I trust, however, that Government will judge between us, whether I as the representative at the court of his Highness the Gaekwar, did my duty in sending on a translation of his yad, after asking the Durbar vakeel who brought it if no measures of persuasion were left untried, or Colonel Outram, who two years after stigmatizes that yad in the words he does. Colonel Outram's notion of duty and mine differ as widely as any two points can.

22. Very soon after I went to Baroda, in November 1848, Government returned a yad of his Highness because he spoke of "zulim," in Mr. Sutherland's time, yet here Colonel Outram allows himself to be so carried away as to stigmatise a yad bearing his Highness' initials as "a deliberately told circumstantial falsehood," and which I would have seen through but for my "high notions of Baroda morals." Weeds spring up where a growth, useful or ornamental, is not cherished, but under the Colonel's culture what is to be looked for at the court of our ally from this specimen of care but a flourishing crop of deceit, cunning, and deception, as the only weapons left to meet such guardianship. The free use he makes of my name I pass unnoticed; but though the above quotation is not bracketed, I cannot allow myself to leave it without animadversion, for the sake of our unhappy ally. There is not, I believe, in the whole of the extracts from his report now being replied to, except the notes on the late Mr. Andrews and Narrain Rao, one sentence of the Colonel's own composition, at least I hope not; and that in his zeal in the cause of this unhappy widow, he was led to adopt the intemperate language of one in all respects irresponsible.

Para. 74. 23. I scarcely know what I am expected to reply to in the two brackets of this lawyer-like para. Colonel Outram assumes from the first in this report that Nursoo Punt is guilty of deceiving me, and I of being led by him in all things, and in a strange fashion of argument would make out that the Punt's accusation of "his friend and relative," Baba Nafra, is to give a colour and force

force to the opinion he gave of his participation with Joetabhaee in the introduction of the coolee child.

24. To this I have replied in paras. 26 and 27 of my letter, dated 18th June 1850. That letter has been laid before the Honourable the Court of Directors, and apparently the reply was satisfactory, an allusion to it being made in the extracts you sent of the court's despatch, No. 4, of the 12th February last, paragraphs 11 and 12. But again Colonel Outram brings up the subject, and I think not quite correctly, as it was on the 22d February 1849 that I spoke in the way noticed of Baba Nafra, and certainly, I speak from memory it was not until after the rains that I allowed him to come to the residency,, and by so doing anticipated the orders of Government for so doing. Para. 75.

25. Colonel Outram has strained a clerical error to the utmost; I should have said Mr. Andrews and not Sir R. Arbuthnot. As to when the case of the child first became "notorious," I cannot say, but on the 22d March 1847 we find Mr. Andrews reporting that the child said to have been born in January of 1846, or some 15 months before, had doubts cast on its parentage, though his Highness had attended the ceremony of naming, and the infant was betrothed into a very distinguished family. This latter circumstance I have never been able to comprehend; it has tended to mystify and make the whole case more complicated than all else put together, in my mind. When the birth of the child became "notorious," as before remarked, I cannot say, but there is no doubt that the parents of the infant girl destroyed the documents on the subject of betrothal at once, as if satisfied of the imposition. Para. 82.

26. From the second bracketed part of this para. I presume Sir R. Arbuthnot was at Baroda at the time in question, but the letter you sent me from Mr. Andrews, dated 22d March 1847, is the first I recollect on the residency compilation, so that I may have been informed, as Colonel Outram says, that he (Sir R.) declined attending the betrothal, but I see no proof that he did not decline; it may not have been for some time after, as reported by Mr. Andrews, that doubts were cast on the child's parentage.

27. The reason given for the guard noticed in the bracket seems to me quite legitimate. It was said the Bhaee had a considerable amount in value of jewels on her person when she left the house of her late husband, and his Highness had with her quite sufficient trouble not to have a case of burglary added thereto; and as for the story of much hastiness, Colonel Outram will, I think, find on inquiry that it had a date prior even to the death of her husband. Para. 93.

28. The documents herein alluded to were, I conclude, those returned to the Bhaee because of the disrespectful way in which she spoke of his Highness; they were returned on the grounds that Government returned that to the Gaekwar in which the word "zulim" was used, above referred to. And when, after receiving them from Bombay, whither I sent them, and explained to Government the cause of my refusing to receive them from the Bhy, they were, as all such documents are, sent to the assistant in the office, unless at the moment there is any one by to read them. Para. 117.

29. At this distance of time I can only say that then, as ever, the whole and sole object was to put before Government the Bhaee's case in as fair way as could be, and with this intent a translated substance was used often when the documents were long; but who made this abbreviation of the Bhyee's case, I of course now know not; for the first time I find now my own name was used in it, or if I heard before, it made so little impression, that it escaped memory.

30. I cannot now say that the right of the Bhaee to the one lac of rupees said to have been left her by the deceased banker was ever denied; I do not believe she ever experienced any want in a pecuniary sense, but I should certainly never have advised her being paid the whole lac at once; first, because her father was an imbecile; her mother thought an unscrupulous woman, she was herself young, and there were reports of certain transactions in her husband's lifetime, before hinted at, that would have rendered the payment of such a sum unwise, the more so when she had such a confidential Para. 120.

legal adviser as the vakeel she sent to me, a fine young fellow, and therefore not the old man the Colonel speaks of. But besides these reasons, were she once paid the sum in question, her hold on the house would have been loosened, if not gone, as certainly would have the prospect of reconciliation, according to the knowledge of the case we then had at Baroda.

31. This is the last bracketed paragraph to be replied to, and it winds up by saying Joetabhaee had in vain sought for relief, but her persecutor was ingratiating himself with the acting Resident, by spending the money she was so much in want of in "buying up shares in Captain French's projected Baroda Railway." This expression of Colonel Outram's feelings might have well been spared, and I would pass it by with the silence it merits, but that it so clearly indicates the spirit with which he has waged war on all and everything done in my day at Baroda, that I feel no delicacy in calling the attention of Government to it as an exemplification of the little justice that officer's feelings would admit of Nursoo Punt, the late native agent, receiving at his hands; he, with his Highness the Gaekwar, the Durbar, Mr. Andrews, Narrain Rao, head karkoon of the residency, and all who disagreed with him, are pretty much on a par; his Highness is simply guilty of a deliberately-told circumstantial falsehood; the Durbar partakes of a like regard; Mr. Andrews is guilty of fraud, and Narrain Rao is an aider and abettor of the same; I am only hoodwinked, led by the nose, and a tool in the hands of Nursoo Punt, through whose guidance all matters are misrepresented to Government. These editorial-like paras., though well rounded and devised, may be met and responded to by Europeans before whom they come, and to whom they relate; his Highness the Gaekwar may not from them suffer immediately, but he or his Government will probably in time, and in the interim I ask his Lordship in Council if it is fair to attribute to Nursoo Punt the blame, be there any, which should lie at my door and that of the Assistant-lieutenant, Battye, who is as innocent as I believe myself to be of any intent to injure the lady Joetabhaee.

32. What has come out against this old man, Nursoo Punt, in the late investigations before Mr. Frere, I know not; I am now replying to Colonel Outram's report of March last, when there was no commission sitting, and I do say it as my deliberate opinion, that he, Nursoo Punt, has not met with fair dealing from Colonel Outram. Though Colonel Outram says somewhere in his report that he warned me against this "treacherous man," or some such expression, he met him in my bungalow, when here with the Gaekwar in the early part of last year, shook hands with him, and said something tantamount to "what has passed has passed, let bygones be bygones; in future you will give no cause for disapproval;" yet within a few days of returning to Baroda the Resident begins the attack, and since then has carried it on at him directly, or at and through me. I can afford these attacks, and meet them smiling at hearing Baba Nafra called the *protégé* of the officiating Resident; but can a native gentleman, though upwards of 30 years' standing in the service of Government, and though bearing the highest character from some of the first men of note in it? Some of Colonel Outram's proceedings, ere going to Egypt, were blamed, and he was told he should not have relied so much on his native agent; yet now he would attribute to that very same gentleman blame on matters for which I am solely, on the same grounds, answerable. The native agent I consider as the chief native assistant, a light in which such persons are held on the Bengal side of India, and therefore I do think he should be considered to a great extent responsible; but surely not to the extent Colonel Outram would in his own case or mine make out.

33. Lately, a printed circular has been received by me from Mr. Secretary Goldsmid, dated the 12th instant, No. 1487 of 1851, in which, in the 4th para. of the Honourable Court's enclosure, it is stated that the Secretary of the Sudder Board of Revenue, North-west Provinces, observes, "It scarcely needs to be stated that native officers are frequently dismissed from their situations, not for proved delinquency, or any tangible matter or substantial charge, but in accordance with the opinions of their immediate superiors, taken up against them somewhat hastily," with other expressions not inapplicable to the case in point. If Nursoo Punt was of those who "make hay while the sun shines," I hope he will not escape; but retaining in mind Colonel Outram's reception of him,

him, as above given, he may, in accepting the dufterdaree of Ahmedabad, be one of those "prudent natives who resign when they perceive that their superiors do not regard them with favour," quoted from the same printed circular.

34. I have deemed it a duty to say thus much for this, to my conception, deserving old man; and now repeat that if he has knowingly swerved from the path of rectitude, I hope he will not escape punishment.

35. There are some other points, not noted by brackets, and to which I am expected to reply.

36. To this task I now proceed.

37. It will be seen that all required in the main portion of this para. is given in the above explanations. Yet from many I heard that the deceased banker had not been near his wife for one year or more; there were said to be other reasons than sickness on his part for this. But regarding his sickness, it is not many months since Narrain Rao, the head karkoon of the residency, called on me here; I asked him the question of the late banker's state of health, and he replied that he had been confined to his couch for one or one and a half years ere his demise. I further gathered from the karkoon that he had seen the banker within the period mentioned several times on duty. This information I at once sent to Colonel Outram. Para. 16 of Chief Secretary's letter.

38. Some explanation is above given on Colonel Outram's remarks, paras. 113 and 114, regarding the Bhaee's letters, and now, after an absence of 2 ½ years, there is nought more I can say from memory. The petitions were sealed, simply because I told the lady's messenger I would pass on any sealed packet she chose to Government, but would certainly return all to myself that were wanting in respect to the Durbar. Para. 17.

39. Who made the summary of her statement I know not. Nursoo Punt was often sick, but perhaps not then. Narrain Rao, or some one in the office, and Mr. Battye, or the head clerk, Mr. Hykoop, may have translated it into English.

40. The note to Colonel Outram's 118th para. I conceive quite unworthy of notice; but Government have allowed or put up with a license of expression by that officer unusual, so I suppose I must pass over the remark of "resolving to withhold," in the opening of this note.

41. To what "Compilation 9" refers I know not; but I conceive not to Colonel Outram, or to any body of men, the right to say I had promulgated unfounded statements. If the Right Honourable the Governor in Council send to me such documents, I, as a servant of the State, must read and reply to them. Para. 19.

42. Before Colonel Outram went to Egypt, he spoke to me on two or more occasions for a long time on affairs and people of Baroda, of which and whom I had never before heard; and that Nursoo Punt, Baba Nafra, and Joetabhaee were named, I doubt not, over and over. Above I told how Colonel Outram received Nursoo Punt on his return from Egypt, and said the past should not be recollected against him, or some such expression.

43. As for taking Baba Nafra into my confidence, I never saw the man three times, I think, in my life; but I know not that the warnings referred to by Colonel Outram would have much influenced me, for reasons not necessary to relate.

44. I suppose the fact of there being no such person as Venaik Dhondoo must have been ascertained through the Gaekwar's vakeel, who came daily about 11 o'clock, and in the interval of calling had made inquiries; but has any such person turned up in the three years elapsed since the date in question? Of course not. It may answer, to hang an argument on, to say, I then and there at once reported no such man could be found, to screen Nursoo Punt; but perhaps, be conjecturing allowed, no difficulty would be experienced in naming the right man. Para. 20.

Bombay,
20 November 1851.

(signed) *P. T. French,*
Late Officiating Resident at Baroda.

— No. 4. —

MINUTE by the Right Honourable the Governor.

CAPTAIN FRENCH'S reply to the Chief Secretary's letter, dated the 15th November, evinces his belief that he was not misled by any wilful misrepresentations of Nursoo Punt, and it would also appear from it that on many points he sought information from others than the native agent, as well as that he himself searched the English records of his office.

There are, however, parts of Captain French's conduct while Resident at Baroda which I deem highly reprehensible, such as, for instance, his transmission to Government of the misrepresentation of the substance of Joetabhaee's petition, and the style and tenor of his letter to that lady, in which he gave his reasons for placing a guard over her.

Captain French's mode of exculpating himself from blame in this latter case aggravates his error, and I exceedingly regret to see that he is insensible to the outrage he committed in addressing Joetabhaee in such a manner.

I would inform Captain French that he is at liberty to proceed to England at his earliest convenience.

That Government deem his letter a disrespectful one, and that it is the opinion of Government his conduct on the two occasions to which I have referred is deserving of censure. In communicating our sentiments to Captain French, the secretary should cite the para. in Colonel Outram's paper, in which each charge is made or implied against Captain French; the para. in his own letter or letters in which such charge is alluded to, and also Captain French's answer to such paras. Our surprise should be expressed to Captain French at his having asserted his belief that, one sentence excepted, Colonel Outram's report is not that officer's own composition.

23 November 1851. (signed) *Falkland.*

— No. 5. —

MINUTE by the Honourable Mr. *Blane.*

I CONCUR in Captain French being permitted to proceed to England.

There appears to me to be no object in prosecuting this inquiry any further, and I am not sure that we need intimate any decision on any part of it at present.

This explanation may be placed with the other proceedings, and be disposed of in our decision upon the whole case, extracts, if necessary, being hereafter communicated to Captain French.

I do not, however, object to the intimation proposed to be made to that officer if the Right Honourable President continue to view that course as the more advisable.

23 November 1851. (signed) *D. A. Blane.*

— No. 6. —

MINUTE by the Honourable Mr. *Bell.*

I CONCUR in Captain French being allowed to proceed to England by the steamer of the 3d proximo.

Not having yet had the opportunity of reviewing the proceedings held in the case of Joetabhaee Setanee and Nursoo Punt, I think we should abstain for the present communicating the remarks set forth in the Right Honourable the President's minute.

24 November 1851. (signed) *A. Bell.*

— No. 7.—

Further MINUTE by the Right Honourable the Governor, concurred in by the Honourable Mr. *Blane*.

As I am quite of opinion that the intimation I propose to make to Captain French should be made to that officer prior to his departure for Europe, and as my honourable colleague, Mr. Blane, is willing under such circumstances to accede to my proposition, my minute of the 23d instant may now be acted on.

(signed) *Falkland.*

24 November 1851. *D. A. Blane.*

I defer.

(signed) *A. Bell.*

— No. 8. —

No. 419 of 1851.—Secret Department.

From *A. Malet*, Esq., Chief Secretary to the Government of Bombay, to Captain *P. T. French*, late Officiating Resident at Baroda.

Sir,

I AM directed by the Right Honourable the Governor in Council to acknowledge the receipt of your letter, and its enclosure, dated 20th instant, in reply to mine, No. 407, dated 15th instant, inviting from you an explanation of certain proceedings of yours in the case of Joetabhaee Setanee at Baroda.

2. I am, in reply, to inform you that with reference to paras. 113 to 120 of Part II. of Colonel Outram's Report of the 31st March 1851, referred to in the 28th and 29th and 39th paras. of your series of replies, relative to the transmission to Government of the misrepresented substance of Joetabhaee's petition, your conduct is deemed highly reprehensible. The same remark applies to your letter to that lady, dated 5 April 1849, in which you gave her your reasons for not requesting the Gaekwar to remove the guard which he had placed over her, as stated by Colonel Outram in paras. 92 to 99 of Part II. of his Report, dated 31 March 1851.

3. Government regret to observe that you appear to be quite insensible of the impropriety you committed in addressing such a letter to that lady, and that it should also be necessary for them to record their displeasure at the disrespectful tone of your communication now under acknowledgment.

4. In conclusion, I am to intimate to you that you are at liberty to proceed to England at your earliest convenience.

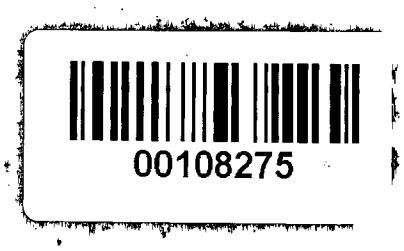
I have, &c.

(signed) *A. Malet,*

Bombay Castle, 26 November 1851. Chief Secretary.

(True copies.)

(signed) A. Malet, Chief Secretary.


00108275

Digitized with financial assistance from the
Government of Maharashtra
on 18 July, 2018